

UDC 327

eISSN 1857-9760



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# JOURNAL *of* LIBERTY *and* INTERNATIONAL AFFAIRS

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Vol. 2 No. 1 | 2016





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## JOURNAL *of* LIBERTY *and* INTERNATIONAL AFFAIRS

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***Journal of Liberty and International Affairs***  
eISSN 1857-9760 | UDC 327  
[www.e-jlia.com](http://www.e-jlia.com)

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*Journal of Liberty and International Affairs* | Vol. 2, No. 1, 2016 | UDC 327 | eISSN 1857-9760  
Published online by the Institute for Research and European Studies – Bitola at [www.e-jlia.com](http://www.e-jlia.com)

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Date of acceptance: March 20, 2016

Date of publication: June 15, 2016

Original scientific article

UDC 323.14:321.7(497.7)"2001"

## THE OHRID FRAMEWORK AGREEMENT: A STRATEGIC TOOL FOR ELECTORAL PARTY COMPETITION IN MACEDONIA

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### Abstract

*The myth that the Ohrid Framework Agreement (OFA) can be the 'cure' for fragile heterogeneous societies has been debunked shortly before its 10<sup>th</sup> anniversary. The general research question of this article is how political parties in Macedonia assess the role of the OFA in building functioning multiethnic society, while the specific puzzle is what accounts for the radicalism of the nationalistic rhetoric of the political parties in Macedonia? We argue that the assessment of the successfulness of the OFA implementation would depend on the parties' position of power and the type of ethnic community (majority, majority minority or non-majority minority). We find the bad economic situation and the exclusion from government to be the most perceived radicalizers of nationalistic party rhetoric in Macedonia. This case study uses qualitative analyses of thirty semi-structured interviews with high representatives of 26 most important political parties in Macedonia.*

*Key words: Ohrid Framework Agreement; nationalism; minorities; ethnic parties; party competition*

### INTRODUCTION

Only ten years after being called 'Oasis of Peace' (Cekik 2014, 227), distinguished for its post Yugoslav 'preventive diplomacy', independent Macedonia was faced with armed insurgence by the Albanian ethnic community. On 12 August 2001 the Ohrid Framework Agreement (OFA) was signed by the two biggest Macedonian parties VMRO-DPMNE and SDSM, and the two biggest parties representing the ethnic Albanians of Macedonia at the time, DPA and PDP, in the presence of the international community. While OFA's immediate purpose was to put an end to the eight month armed conflict between the Albanian National Liberation Army and the Macedonia's Defense Forces, its long term perspective was to establish a general framework for integration of the national minorities and to provide legislative bases for functional multicultural cohabitation.

During OFA's tenth anniversary Conference at the South Eastern European University, Livia Plaks<sup>1</sup> (2011, 47-48), said: "[...] OFA was and remains a trend setting document regarding minority rights and interethnic relations in South-Eastern Europe. Certainly there are lessons to be learned from OFA, [...] lessons that could improve co-existence in this part of the world. At the end of the day, the OFA did address the issues at the core of the conflict and ended up creating a functioning state." The International Community have been constantly underlining how important it is for Macedonia to embrace the 'OFA's spirit' (EU Commission Progress Reports 2006-2014). Yet, the myth that OFA is the 'cure' for the ethnic conflicts, has been debunked shortly before its 10<sup>th</sup> Anniversary.

In June 2009, Menduh Tachi, the leader of the biggest ethnic-Albanian opposition party DPA, in an interview for Radio Free Europe (2009) proclaimed the OFA as "dead". He argued that a new Macedonian Constitution was needed, otherwise, the Macedonian Albanians would have been forced to seek for a new state for themselves. The "New Agreement" platform (DPA web, 2009) proposes several changes to the current inter-ethnic settlements such as: new fully consensual decision making, real decentralization instead of de-concentration of power, proportional distribution of the state's budget, new territorial organization with ethnic, cultural and economic infrastructural aspect, official use of Albanian Language at national level, one of the three positions of the State to be Albanian, controlled fair representation of all ethnic groups in public institutions etc. The party program of RDK (another party from the Albanian bloc) as well proposes several changes to the OFA such as: fiscal federalization, consensual democracy, wide decentralization of government etc. (RDK 2011, 2014).

Consequently, the general puzzle of this research is how political parties in Macedonia assess the role of the OFA in building functioning multiethnic society. Is the OFA's implementation a real drive for promotion of sustainable multicultural cohabitation, or it is just a party electoral tool? The more narrow research question arising from the very implementation of this peace accord is: what accounts for the radicalism of the nationalistic rhetoric of the political parties in Macedonia?

This qualitative case study on Macedonia relies on thirty in depth interviews, conducted in the period of October-November 2014, with high representatives from 26 most important political parties in Macedonia, including representatives from all national minority parties.

We argue that the implementation of the OFA is perceived as successful by the current governmental coalition, while the rest of the parties oppose it. While the opposition parties from the Albanian bloc propose new agreements, and changes to the OFA, the rest of the opposition parties point out at the partization of the OFA's implementation as the reason for bad results. Parties in general see worsened inter-ethnic trust at individual level due to the OFA's implementation, partly because the government coalitions use OFA to manipulate the economically fragile electorate, and partly because some policies deriving from the OFA have produced parallel worlds where so far ethnic communities peacefully co-exist, but they do not cohabitate. We expect that the bad economic situation and the exclusion from government are the most important drivers for radical parties' rhetoric. We argue that the issue of decentralization is still not resolved, and that ethnic communities do not stand on the same grounds regarding the ethnic nature of the territorial decentralization.

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<sup>1</sup> Livia Plaks was the President of the Project on Ethnic Relations in 2011

In the first section of this article we shortly introduce the reader with the theoretical framework and we build the hypotheses. The second section elaborates the methodology, the case selection and the data gathering process. The third part presents the main findings of the research and the final section offers our conclusions.

## THEORY AND HYPOTHESES

In spite of the fact that the *essentialism* seems untenable nowadays, the empirical Large N research implicitly still relies on it. Thus, ethnic groups are considered to be naturally given, permanent, and easily merged into a collective action; once a group has 'awakened' to its identity and a conflict among ethnic groups emerges, it will inevitably recur throughout history (Rabuska and Shepsle 1972). Yet, the demystification of the "architectonic illusion of the realism of the group" (Brubaker 1998, 2006) allows us to see ethnic minorities as vote-maximizers and office-seekers, instead of a zero-sum political actors (Keating 2011). The social *constructivist theories* postulate that there are no groups to start with, and that there are no essential categories that define the nature of an ethnic kind; groups are rather socially constructed, by historical external processes, or by the ambitious elites, who create a sense of threat by 'others' to the conjured new identities they want to take power on (Chandra 2012, Janne 2007, 2-10).

National minorities in divided societies can strive for power-sharing (Lijphart 1977, 1984, 2002; Norris 2002, 2008) or they could decide to go for outbidding alternatives (Horowitz 1995). They can compete with other ethnic groups, just as they can decide to do so with its competitor parties representing the very same ethnic group. Moreover, as the novel theory on the competition beyond the segmented market suggest, ethnic groups can decide to attract electorate beyond its own ethnic group (Zuber 2012).

The third approach, the so called "naturalized constructionism" can explain why multinational states can be expected to remain somewhat special in the long run, since cognitively-predisposed shared ethnic perceptions ease the formation of collective interests and collective action. Ethnic elites representing the minority may in long run redefine the social categories they include/exclude through their appeals, since the content of the ethnic categories is not essentially fixed (Zuber 2013, 202-3). And while the constructionist approach overestimates the ethnic entrepreneurs' capacity to strategically manipulate the flexibly constructed identity, the naturalized constructionism operates at the intersection of culture and cognition, and accounts for the fact that, 'independent of the specific content of ethnic categories in a specific socio-historical and institutional context, people tend to naturalize ethnic rather than other categories.' In line with it, Birnir (2007) argues that utility (cost-benefit calculation) in voting determines ethnic political behavior, and empirically demonstrates that where ethnicity is part of electoral competition, party systems stabilizes more quickly than in circumstances where parties make no appeal to ethnic categories.

Resting on this third approach we test where do Macedonian political parties (the unit of analysis) stand regarding already established theories on post Peace Agreement parties narratives and what are the sources for radicalization of their nationalistic rhetoric. Marc Ross (1993, 12) argues that the competitive interests rooted in social structure as well as psycho-cultural dispositions are essential to understand the consequences of conflicts. To be able to explain the case of the post OFA different narratives among the two biggest

Albanian parties, Talevski (2011) takes on Ross' argument that violent conflicts leave cognitive dispositions and interpretations as imprints, and that in absence of a common understanding about the past conflict there are competing political narratives on the meaning of the past conflict and the social norms that derive from it. His main argument is that the two biggest ethnic Albanian parties in Macedonia, DUI and DPA, understood differently the motifs and the outcome of the conflict in 2001, thus the post OFA narratives took different trends, resulting with violence in 2011. The rest of this analysis lays on the "cost-benefits" drivers for choosing different electoral strategies: inter-ethnic outbidding, intra-ethnic competition, or "competition beyond segmented market". Three general factors are being questioned: the inclusion in government, the economic conditions of the country in general or the regional economic disparities, and finally the decentralization process with the territorial organization in favor of ethnic groups' self-determination.

Bocshler and Sozik (2013 a, b) show that government inclusion, as the most important element of power sharing arguments, can destroy the political unity of the ethnic minorities and contribute to their radicalization. Birnir (2007) proves that the longer the ethnic minority group has been out of cabinet, the higher the level of violence. Tronconi and Elias (2011), as well, find lower secessionist rhetoric when autonomous parties are included in government. This might occur due several reasons such as: their ambitions to appeal to larger electorate (as office seekers); the coalition bargaining settlements which might push them to adopt a moderate ideology; and eventually, the public policy benefits that parties have in government could motivate ethnic parties to offer a wider electoral issue platform and to moderate the positions regarding the territorial issue (Sorens 2012).

The relative deprivation (or grievance) theories hold that groups suffering economic discrimination or income disparities will mobilize around collective demands for redress in future. Muller-Rommel (1994) initially assumed that the potential for a center-periphery conflict rises in a period when national resources become scarcer. Sorens (2012), on the other hand, has empirically proven that national minorities seek far-reaching self-government or independence only when there are significant economic and political benefits to such a status.

The level of decentralization as a factor of ethnic parties' radicalization or conflict driver is still arguable topic. Montabes et.al. (2004) argue that decentralization decreases radicalization of the ethnic minorities' ideologies, due to the possibility for better representation of these parties at multilevel politics, in those countries with higher level of decentralization (where they are more likely to turn towards mainstream issues at regional level, where they have a viable opportunity to participate in regional governments). Branciati (2009), on the other hand, suggests that while political decentralization may reduce ethnic conflict and secessionism directly, it increases ethnic conflict and secessionism indirectly by increasing the strength of regional parties in the countries. These negative effects, however, operate through regional (ethnic minority) parties who can influence policies.

We argue that parties' positions towards OFA shall differ according to their position (in or out of government), and the type of the ethnic group (majority, majority-minority or non-majority minority). We expect parties to see exclusion from government as a radicalizer of the nationalistic rhetoric, and the bad economic situation and the low level of decentralization of the country as radicalizers of their nationalistic or self-deterministic rhetoric.

## CASE SELECTION, METHOD OF ANALYSES AND DATA

The core of this qualitative analysis has been based on thirty in depth interviews conducted with high representatives from 26 different political parties. The criteria for selection of the interviewees are twofold. Firstly, the selection criteria for the political parties were based on a simple rule of “the more the better”, which implies possible inclusion of all existing parties in Macedonia. Aside from the nine “Macedonian” parties (parties that are mostly supported by ethnic-Macedonians), five Albanian, three Turkish, three Bosniak, two Vlach, two Roma, two Serbian and one Torbeshi parties are being included (see: Table 1).

**Table 1: List of interviewees’ names, party affiliation and ethnic belonging**

<b>Ethnic group</b>	<b>Name of interviewee</b>	<b>Political Party</b>
Macedonian	Ana Laškoska, Aleksandar Nikolovski	Internal Macedonian Revolutionary Organisation- Democratic Party for Macedonian National Unity, VMRO DPMNE
	Vladanka Avirovik	Socialistic Party in Macedonia, SPM
	Toni Ristov	Democratic Renewal of Macedonia, DOM
	Oliver Stanoeski	Civil Option for Macedonia GROM
	Lidija Dimova	Social-Democratic Union of Macedonia, SDSM
	Nano Ruzin	Liberal Democratic Party, LDP
	Ivon Veličkoski	Liberal Party of Macedonia, LPM
	Miki Milkovski	New Social-democratic Party, NSDP
Albanian	Ljubčo Gjeorgjievski	Internal Macedonian Revolutionary Organisation- PP, VMRO NP
	Talat Dzaferi, Atulla Kasumi	Democratic Union for Integration, DUI
	Gzment Aliu, Mitasin Bekiri, Agron Bekiri	Democratic Party of the Albanians in Macedonia, DPA
	Muhamed Halili	Party for Democratic Prosperity, PDP
	Jasin Demiri	NationalDemocratic Revival, NDR
Turkish	Afrim Gaši	Movement BESA, BESA
	Furkan Çako	Democratic Party of Turks in Macedonia, DTP
	Enes Ibrahim	Party for Movement of Turks in Macedonia, PMTM
Vlachs	Veysel Saraç	Movement for Turkish National Unity, MTNU
	Niko Babunski	Democratic Party of Vlachs in Macedonia, DPVM
Roma	Gjoko Gjorgjiev	Party of Vlachs in Macedonia, PVM
	Ibrahim Ibrahimi	Union of Roma in Macedonia, URM
Bosnian	Samka Ibraimoski	Party for Full Emancipation of Roma, PFER
	Avdija Pepič	Party for Democratic Action in Macedonia, PDAM
	Rafet Muminovik	Bosnian Democratic League in Macedonia, BDLM
Serbian	Safet Biševac	Bosniak League in Macedonia, BLM
	Dragiša Miletich	Radical Party of Serbs in Macedonia, RPSM
Torbesh	Faruk Feratoski	Party for European Future, PEF

Secondly, given that the questions of the interview address the interethnic relations in Macedonia, the main criteria for selection of the interviewee coming from a single party was that the respondent is among the highest party representatives, and she/he is in depth informed about the party's official standing points with regards the field of analysis. The final decision of the interviewees was made upon an agreement among the authors and the parties. Among the high rank party representatives there are Party Leaders, Members of Parliament, Ministers, Former Ambassadors, and a former Prime Minister of Macedonia.

The interviews were semi-structured, and have been conducted on a voluntary base in the months of October and November 2014. The main findings have been driven from the two general research puzzles: "The post OFA narratives and the interethnic cohabitation in Macedonia" and the "The causes for the radicalization of parties' nationalistic rhetoric in Macedonia". The questions arising from the first topic are: "Is the OFA dead? Is there inter-ethnic cohabitation in Macedonia today? Do you see a potential for future conflict, and if so what would it be motivated by?" The interview leading questions addressing the second topic are: "What is a bigger influence for your party's electoral positions, certain ethnic group's particular issues, or general issues tackled also by the mainstream (other) parties? Would you say that parties in Macedonia use more radical nationalistic rhetoric when in government or when in opposition? Do you see the economic situation of the country (or a particular region) and the level of decentralization as factor of radicalization of the nationalistic rhetoric by the parties?"

What makes Macedonia an interesting case study for this type of analysis is the threefold inter-ethnic constellation; the first one among the majority Macedonian party and the rest of the non-majority ethnic communities, then the relations between the Macedonian and the Albanian community, and finally the relations between the Albanian community and the non-majority minorities.

There is an important difference regarding parties' positions towards a Peaceful Agreement between post OFA Macedonia and post Dayton Bosnia and Herzegovina (BiH). In BiH, the peace was founded at the complex federal state system combined with power sharing at federal level. A decade after the agreement was signed it has been disputed by parties signatories. Firstly, six Croatian Parties signed the Kreshevo Declaration of 2007 which stipulates a revision of the Dayton Agreement in favor of a new territorial entity for the Croatian people. Then, the Serbian parties reacted through their electoral programs, and explicitly opposed any revision of Dayton that will damage the sovereignty of Republika Srpska or will permit delegation of powers from the Republic to the Federation. However, both reactions were addressed towards the Muslim community who is the majority of the three constitutive peoples.

In the Macedonian case, the different narratives for the post OFA can be clustered in three groups. Firstly, there was a different reaction from the ethnic Macedonian parties to the very OFA, the post OFA decentralization process and the territorial organization. While shortly after OFA was signed the parties in opposition were the ones against it and the parties in government were defending the new territorial organization, the 2006 government change brought certain peace regarding the issue. The OFA has been promoted as factor of stability and peace by the new government coalition (VMRO DPMNE and DUI) as well, and the opposition parties did not changed their position towards the significance of the very agreement. Secondly, there is the Albanian community of Macedonia that has not been united towards the OFA's role in building functional multicultural society. The Macedonian case is much more similar to the Irish one where the Irish parties had diverse

stands regarding the Good Friday Agreement. The Albanian intra-group electoral competition has reached high levels of harsh nationalistic rhetoric and even violence in 2011 (Taleski, 2011). And thirdly, there are the small ethnic communities whose reaction to the OFA, although generally positive, got increasingly prone to criticism in time. The parties from the smaller communities complain that the way OFA is being implemented meant discrimination towards the non-majority minorities.

## FINDINGS

### *Inter-ethnic coexistence without cohabitation*

The findings of this analysis do not contradict Ross' and Talevski's arguments that parties' post Peaceful Agreement narratives might differ within the same ethnic group. Nevertheless, in spite of the open nature of the question addressing the assessment of the OFA's general role in building functional multiethnic society, the interviewees completely neglected the part of the initiation of the conflict of 2001 itself, instead they put the accent on the very OFA's implementation.

There is no unanimity when responding to the question "Is the Ohrid Framework Agreement dead?" There are, nonetheless, several clear patterns that can explain how the political parties have perceived the role of the OFA so far, and the need for new agreement that shall arrange the inter-ethnic relations in Macedonia. The interviewees representing the Albanian party bloc currently in opposition (DPA, RDK, PDP and BESA) have agreed that the OFA is 'a dead agreement'. For DPA new constitutional changes are needed for better representation of the Albanian ethnic community in the public sector. Moreover, better implementation of the measures from the existing OFA is necessary, and some changes in the budgetary distribution (decentralization) in favor of the municipalities where the Albanians are territorially concentrated are fundamental.

The rest of the opposition Albanian parties (which assessed the OFA as non-functional) claim that the political elite in power (referring to the VMRO DPMNE-DUI coalition) is manipulating with the way OFA is being implemented. This clientelistic and partisan way of implementing the OFA in terms of fair representation of the non-majority communities in Macedonia they deem is harmful for both the majority and the minority ethnic groups in Macedonia. Their general opinion is that OFA has not been implemented as it has been initially intended, and the Albanians are still underrepresented in public institutions. They see an urgent need for new functional political criteria that will draft the way in which the intentions for integration of the Albanians in the Macedonian society can be put in practice. Thus, it is important for them that the Macedonian majority shows higher level of trust towards the Albanians in the country and allows ethnic Albanians to hold Ministerial positions of 'a higher rank', such as the position of Minister of Interior. In addition, the Albanian bloc opposition parties consider that the Albanian language shall be official language on the whole territory of Macedonia, and Macedonians and Albanians shall share the idea that knowing both languages can make the multicultural cohabitation feasible. On the contrary to the opposition parties, the respondents representing the current Albanian party in government (DUI) claim that OFA is not dead. They both have accentuated that a Peace Agreement that has aimed to end an armed conflict shall never be underestimated and considered to be "dead". Thus, the DUI appreciates OFA for its success

in bringing peace and stability in Macedonia, and for changing the Constitution in favor of the Albanian community and the other ethnic minorities in Macedonia. DUI claim that OFA, as part of the Constitution, is a process that needs to enter deeply into the second stage of its implementation, which means bringing the rules into practice, the law into function within the institutions of the system. Both respondents coming from the governing Macedonian party VMRO-DPMNE share the same opinion with their coalition partners (DUI) that the OFA is almost implemented, and that as part of the Constitution, it is already a successful story.

The rest of the (Macedonian) parties from the governing coalition (SPM, GROM, and DOM) agree on the fact that the OFA has been implemented in terms of legislation, but they also add that its implementation could be analyzed from several other perspectives as well. For instance, the presence and the influence of the 'external forces' i.e., the International Community at the time of drafting and signing of the OFA according to Stanoeski, (GROM) is concerning. "Just like the Dayton Agreement in Bosnia and Herzegovina had shown, nothing good can be expected from externally enforced peaceful solution. This fact puts a black spot on the willingness of the parties who have signed the agreement to work on its further implementation." (Stanoevski, 2014).

In general, the opposition parties from the Macedonian bloc (SDSM, LDP, LPM, NSDP, and IMRO NP), are not against the OFA, but they oppose the way it is being implemented. That is to say, while the VMRO DPMNE claims OFA has been so far well implemented, the opposition Macedonian parties claim OFA's implementation has 'lost track' in the process. This implies that the parties in government abuse the OFA by using it as an 'employment tool' instead of passing to the second stage of the Constitution changes – implementation of its premises in the everyday life. This is where most of the Macedonian bloc parties irrespective of their position (in power or in opposition) (except VMRO DPMNE) find a common ground.

The OFA should have been a tool for providing procedures under which all ethnic communities in Macedonia were supposed to cohabitate. As Velickovski (LPM) stressed: "it is important that we create a political nation instead of an ethnically divided society". The OFA, instead, has been used as an employment mechanism in the public administration. The government's supporters have been privileged to take part of the expensive and inefficient public administration which is being used, eventually, as "voting machinery" for the parties in power.

Finally, the respondents coming from the non-majority minorities (Roma, Serbs, Vlachs, Turks and Torbeshi) did not assess OFA as dead, but they, nevertheless, see a necessity for more regulation when it comes to the fair and equal representation of all ethnic communities in Macedonia. This comes from the fact that the OFA speaks in favor of the communities which make more than 20 per cent in a given territorial unit. The main critique from the non-majority minorities was that the OFA nature is to serve only the Albanian community. In addition several representatives of the smaller ethnic communities point out that the OFA harms the identity of the other ethnicities that share the same religion (the Islam) with the Albanians. Namely, some representatives from the Turkish, Bosniak, or Torbeshi parties claimed that OFA has purportedly been used to persuade many citizens belonging to those smaller minorities to declare themselves as Albanians in order to get job position guaranteed under the OFA's affirmative measures. In fact the Torbrshi representative points out that this community, together with the Montenegrins and the Croats living in Macedonia should be constitutionally recognized as constituent peoples as



well. They see this recognition as an opportunity for them to defend themselves from the assimilation intimidation by the majority-minority (the Albanians).

The functionality of the OFA is inseparably connected to the functionality of the multicultural cohabitation in the Macedonian society. In fact the OFA should have been the cause of the improved inter-ethnic cohabitation in Macedonia. We have found clear correlation between the more positive perceptions of the cohabitation in Macedonia and the representatives from the parties in the current governmental coalition (VMRO DPMNE, DUI and the smaller parties). When the representatives coming from parties currently in government express their positive opinion regarding the cohabitation in Macedonia they refer to the constitutional and the institutional changes that have been made with the OFA, with the purpose of improving the inter-ethnic relations.

The ethnic Macedonian opposition parties see some sort of inter-ethnic coexistence but no cohabitation. The direction in which the OFA has been implemented is one of the reasons for this perception. As mentioned before, the Macedonian bloc parties see the OFA as a measure of quantification instead of a measure of qualification of the inter-ethnic relations (Ruzin, LDP). Their negative references go to the 'party-membership employment criteria' practiced by the two government coalition parties in the past nine years (VMRO DPMNE and DUI), which have been a burden on the budget and have been harming the quality of the public administration. In addition, the practice of the so called 'soft-power sharing',<sup>2</sup> and the current electoral system of Macedonia have been pointed as negative face of the cohabitation system. The parties in government from both ethnic groups are almost never present on commemoration of dates, historic people, or symbols from importance to the other ethnic community, because they have divided their role of governors, each governs 'their' ethnic community only. This had led to the creation of two parallel worlds where ethnic Albanians and ethnic Macedonians live next to each other, instead of living together (especially visible after the new territorial organization of Macedonia in 2004 and the beginning of the decentralization process).

The war/conflict memories are still present in both communities, and parties in government find it difficult to find solution for the 'war veterans' from both ethnicities due to the vulnerable nature of the conflict, point out some Albanian interviewees. As regarding the post OFA's 'multicultural' policies, the creation of separate school shifts for the ethnic Albanians and Macedonians in certain municipalities, the language laws etc. have been assessed to widen the already existing cultural and linguistic gap between the communities. Albanian children know the Macedonian language less and less, and the Macedonian children are not obliged to study Albanian, so the communication is scarce. This too leads towards building parallel ethnic worlds instead of inter-ethnic cohabitation. The Albanian representatives in general see positive impact of the OFA on the cohabitation within the institutions of the Republic of Macedonia, but they do not see improvement of the cohabitation at individual level. They claim that people do not trust each other and the ethnic stereotypes and prejudices are deepening; the political parties are responsible for the worsened inter-ethnic trust with time, they claim. Finally, all party representatives of the smaller ethnic groups in the government coalition at the moment see cohabitation in Macedonia, whereas the party representatives of the smaller ethnic groups in opposition do

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<sup>2</sup> Here they refer to the gentlemen agreement of inclusion of the most successful Albanian party in government, plus the veto power that the "Badinter Principle" gives to the Albanian parties in terms of voting laws that directly tackle the inter-ethnic relations.

not see a good level of cohabitation. However, when they claim that there is no cohabitation all of them referred to the Albanian-Macedonian inter-ethnic relations, not to the relations among the smaller ethnic communities in Macedonia. Some even point out that the smaller communities have internal cooperation among themselves and they help each other when needed.

In spite of the general positive perceptions of the OFA's role in peace building, there is a significant number of interviewees (almost three fourths of them) that see some conflict potential in Macedonia in the future. The narrative regarding the future inter-ethnic conflict, nonetheless, has been very vague. The interviewees avoid entering the topic of conflict and violence in spite of their carefully selected wording that implies none of them would be surprised if another conflict occurs. Respondents do not always explain the conflict possibility as an armed conflict, such was the one of 2001, but they see a potential threat in the Albanian-Macedonian inter-ethnic relations what so ever. When addressing this issue, most of the respondents accentuated the fragile inter-ethnic relations in Macedonia through the example of the July 2014 violent protest by the Albanian community motivated by the verdict of the case 'Monstrum'.<sup>3</sup> Moreover, the incident with the Albanian Flag Drone during the Euro 2016 qualifier football match between Albania and Serbia in Belgrade's Partizan Stadium, provoking violent reaction and abandoning of the match (BBC, 2014) has happened in the month of October, when most of the interviews for this article were taken. This incident as well was pointed out as a reminder of the fragile regional inter-ethnic constellations. However, majority of the respondents stressed that violent conflicts shall stay behind, the time for such conflict solutions has passed, and that it is time for consolidation of the Balkan democracies and integration into the European Union. Such integration would require peaceful solutions for ethnic issues, most of them agree. Some interviewees worry that the economic and social inequality would be much stronger engine for such eventual conflict, while there have been also several references to the ongoing political crisis, the boycott of the opposition to participate in the work of the National Assembly, and the low level of political dialogue within the country as potential conflict source. The instability that might come from the 'bombs' coming from the opposition as accusations for illegal wiretapping, corruption insinuations and abuse of power from the government, has been pointed out as a serious new threat to the security and stability of Macedonia.

The Albanians in opposition nevertheless see a potential for conflict due to the lack of rule of law, the very challenging task of the government to maintain functioning institutions and to fight the corruption.

The smaller communities are united in their perceptions that the potential for inter-ethnic conflict comes only from the 'Albanian factor'. They also see the nationalistic rhetoric used by the main Macedonian party in government (VMRO DPMNE) as a serious potential for conflict in the future. VMRO DPMNE, whatsoever, perceives less probability for ethnic conflict. Both its representatives believed that the region is now stabilized and that there is no potential for new fire.

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<sup>3</sup> In July 2014 the NGO called Wake Up condemned the court's verdicts on Tuesday, insisting that the convictions of the six ethnic Albanians were politically motivated and had left the real perpetrators of the gruesome murders in 2012 unpunished. (Balkan Insight, 2014).

### ***Radicalization of the nationalistic rhetoric as party competition game***

While there are three existing party blocs in the Macedonian electoral race at national level, Macedonian bloc, ethnic Albanian bloc and smaller ethnic minorities' parties, we lay our arguments on the naturalized constructionist approach and believe that although there is a strong intra-ethnic outbidding in Macedonia, the ethnicity is still one of the best predictors of the votes distribution in Macedonia.

The parties from the Macedonian bloc in general claim they appeal to all ethnic groups and have supporters from all ethnic groups in Macedonia. Nevertheless, the appeal to wider ethnic popular support has been limited. The Albanian parties, on the other hand, claim they appeal firstly to the Albanian community (except RDK and BESA who claimed they address the real Macedonian problems). Finally, the smaller communities (Roma, Turkish, Bosniak, Serbian, Vlach, Torbeshi) claim that they directly appeal to their communities, and that they try to influence their bigger coalition partners' party programs in favor of protection of their ethnic group's interests.

The parties representing the smaller ethnic communities usually contest national election in joint pre-electoral coalitions with the biggest Macedonian Parties. Their vote share is thus difficult to be measured for all the elections. Nonetheless, the Albanian community has demonstrated a stable support for the parties from the ethnic Albanian bloc. The lowest joint vote share for the Albanian parties was measured at the 1994 elections (11.78%) and the highest ethnic Albanian vote share was seen in 2006 (23.5). The average vote share for the Albanian parties, thus, was 20% if included the outlier of 1994, and 21.4% if we take out the outlier year. This percentage is very close to the percentage of the ethnic Albanian community of Macedonia (25.17%), which implies that more or less 4% of the ethnic Albanians vote for some other parties, or abstain from national elections.

While only one third of the ethnic Macedonian respondents were willing to discuss the party competition strategies, they all agreed that the party competition in Macedonia is mainly intra-ethnic group driven. Ethnic groups compete within rather than across groups. In line with the theory (Bocshler and Sozick 2013 a, b; Sorens 2012; Tronconi and Elias 2011; Birnir 2007) almost two thirds from the respondents claim parties in opposition are usually more radical. Their party platforms and the answers to the first questions regarding OFA indeed go in line with this argument. Namely, the opposition parties coming from the Albanian bloc have brought new ideas towards greater self-determination of its community (introduced in the beginning of the Findings section).

Nevertheless, there have been several references to the rhetoric used by the current coalition government VMRO DPMNE – DUI during the last 2014 elections which was criticized by the public and the opposition parties for being too nationalistic. Some claimed that radicalization depends on individual political interests of the party leader rather than an ideological determination. This argument is in line with the previous claims that parties in government use more nationalistic rhetoric. Namely, while DUI's party manifesto remains less radical compared to the opposition parties in terms of self-determination, the leader Ahmeti used nationalistic rhetoric during campaigning. At the social media he directly invites for blood, and radicalization of the nationalistic ideals of the Albanians in Macedonia. He has called for mass campaign meeting by using his own picture dating from the 2001 conflict where he appears with a Kalashnikov (Ahmeti, 2013).

Gruevski as well has been using divisive and nationalistic speeches to promote higher popular support among the ethnic Macedonians living in ethnically concentrated Albanian municipalities (Gruevski, 2013). Nonetheless, VMRO DPMNE's electoral platforms do not speak against the OFA. While VMRO-DPMNE avoided commenting this part of the questioner, DUI claimed the opposition was the more radical one, and the representatives argued that in this era of parliamentary democracy nationalistic rhetoric from the kind of DPA (referring to the DPA's New Agreement proposal) cannot be justified.

The representative from the Vlach party claims that there is no other way for the government to stay in power but using nationalistic rhetoric. That is the only reasonable explanation why they both (VMRO-DPMNU and DUI) stayed in power for such a long time (Babunski, DPVM). Be that as it may, the majority of the respondents and the very after OFA narratives by the opposition parties confirm the theory in favor of the positive relationship between opposition status and radical self-determination claims by the ethnic parties. There is one other important argument regarding the radical stances on nationalism. The party radicalization depends on the type of ethnic minority (majority vs. non-majority minority). This means that Albanians are prone to radicalization because of their size and real influence in the government (as Szocik and Boschsler (2013 b) argued). The more salient the ethnic group is, the better perspectives for representation it has, thus the radicalization naturally will come out of the size of the group.

Finally, we come to the economic factor and the decentralization as radicalizers of parties' nationalistic rhetoric. With a certain kind of unanimity, the respondents claim that the bad economic situation in Macedonia will not help the process of inter-ethnic conflict reconciliation. All but three respondents think that the essential inter-ethnic conflict motivator was and it will always be the bad economy. The findings support Muller-Romell's (1994) thesis that when economic resources are scarce there is a possibility for nationalism and claims for greater self-determination from the "oppressed" regional community. Most of the respondents claim that people get more politicized in economically underdeveloped environment and they become an easier target for manipulation by the parties; thus, it can be expected that radicalization of the demands by the political parties is most probable in times of economic crisis.

Nonetheless, if we take aside the initial conflict of 2001 which has been motivated by the lack of rights for the Albanian community and from the historically suppressed economy of the regions where they are concentrated, the OFA includes a new aspect of the economic factor in the competition game. Namely, the respondents from the opposition parties emphasize that the party manipulation feasibility derives from the "partization employment practices" which parties in government (representing both the ethnic minorities and the majority) use to manipulate its electorate. Bishevac (BLM) argues that "the numerous employed persons in the public administration that have no real job positions, but still receive salaries under the OFA protection, deepen the gap of mistrust between the ethnic communities because the economic situation in Macedonia is very fragile." Most of the Albanian-minority parties representatives consider the unequal budget distribution among the regions as a problem that can potentially arise as a 'challenge for the country'. Gashi (BESA) said that the Albanians in Macedonia were more concerned about the economic situation than the ethnic cultural issues, in spite of the unresolved issues with the use of the Albanian language as official language in Macedonia, and the still ongoing issue with the use of the flags. The non-majority minorities' (Roma, Vlach, Serb, and

Turkish) see potential for radicalization only from the side of the Albanian parties. In addition, most of the respondents have accentuated their serious concerns regarding the high level of emigration from Macedonia in the past decade.

The distribution of the budget and the regional policies are closely connected to the decentralization. While the Macedonian bloc of parties supports the theory that the decentralization with ethnic aspect in general leads to parallel worlds and higher potential for future radicalization of the self-determination potential (Branciati, 2009), the Albanian bloc claims the opposite, the lack of decentralization is what triggers radicalization, and the good decentralization opens space for fair representation of the ethnic minorities and thus decreases the possibility for radicalization (Montabes et.al. 2004).

The Macedonian parties in general assess the decentralization as a good process for country's democratization, with a remark on the unequal implementation practice so far in certain rural areas. Nevertheless, their support goes in general to the idea of de-concentration of power and regionalization in terms of equal distribution of finances to the periphery from the center. But, when it comes to the ethnic component of the issue of decentralization the perceptions are divided. The fear of the decentralization comes from the real practice regarding the implementation of the decentralization where the ethnic-decentralization has had a boomerang effect on the Macedonian population. The economic, political, social and security challenges pointed out by Talevski (2005) remain present even a decade and a half after the decentralization reform. The power that the Municipal Mayors obtain continues to be harmful for the decentralization itself, especially in the municipalities with territorially concentrated Albanian community. Namely, several representatives mentioned the negative examples of the western Macedonia's towns of Struga and Kichevo. In these municipalities, the ethnically based decentralization solution 'have forced' the Macedonian population to leave those municipalities because of the ethno-centric politics lead by the Mayors of these municipalities populated with majority of Albanians.

The "gerrymandering" of the municipalities in ethnic terms after the OFA has been generally assessed as harmful because it has created bases on which the central power is divided between the coalition partners from the two blocs (Macedonian and Albanian). VMRO DPMNE as well considers that the mayors have much more powerful positions in the local-governing bodies compared to the councils, which shall be reconsidered in favor of de-personification of politics. According to Dimova (SDUM) 'the decentralization, as a peace-keeping instrument only produces two parallel worlds which obstructs the idea of ethnic cohabitation. The decentralization as a democratization process needs other instruments than the ethnically concentrated territories with self-governing powers'. Some respondents see the decentralization as a feasible threat to the unitary state. Stanoeski (GROM) supports the hypothesis that centralization prevents such kind of separatist initiatives by obtaining more influential centers of power which can control those movements.

On the other hand, we could see that there is not much variety among the Albanian representatives regarding the decentralization question. In general the Albanian bloc parties do not consider that the decentralization would provoke radical/separatist rhetoric. The eventual decentralization process would imply a decentralized multi-cultural approach in decision making, which involves wide ethnic consensus voting at local level as well. DUI sees no possibility for radicalization of the minority ethnic appeals due to the 'weak power

of the local self-government units and the fact that there is no local police. Moreover, several Albanian interviewees accentuated the possibility for radicalization if the decentralization lacks implementation. Nevertheless, they perceive no real separatist intention within the Albanian community in general.

Be that as it may, the opposition parties representing the Albanian block assess the current decentralization process in Macedonia at a very low level, and they deem urgent necessity for its real implementation. DUI, on the other hand, claims that the decentralization process is a very important process of the OFA, as it serves people to get closer to the government. The three most important laws from the decentralization reform where the Local self-government Law, the Law on self-financing of the units of local self-government and the Law on territorial organization. Unfortunately, according to Kasumi (DUI) “the public debate had been mostly focused on the latest one. The very debate over the decentralization in Macedonia has been political instead of practical and useful.” He also considers the centre-periphery struggle only as a struggle for financial self-governance. According to Kasumi “the central government is not yet ready to give up the powers in favor of the local communities, and this is harmful for the very process of decentralization.” The majority of the smaller minorities’ parties usually see the decentralization process as a good intentioned but as “it has got wrong somewhere on the way of its implementation.” (Ibraimovski PFER). The general perception of the smaller communities is that they have become minority under the minority, which indicates a big problem in how OFA has been tailored. They do not see current separatist movements in Macedonia (nor secessionist rhetoric), but the decentralization on ethnic bases has been assessed as harmful to the non-majority minorities.

## CONCLUSION

Although there has been a diversification of narratives, (among ethnic groups, and among different parties representing the same ethnic group), the implementation of the OFA has been generally assessed as not successful. The non-majority ethnic communities still claim cultural, economic, institutional, and political discrimination exists in Macedonia, while the majority community in general claims the OFA instead of creating a functioning multiethnic cohabitation it have deepened the inter-ethnic gap. It has created two parallel ethnic worlds and fragile peaceful co-existence instead of functional cohabitation.

The opposition parties from the Macedonian bloc and the smaller communities in general see potential for future conflicts and instability that could be triggered by ethnic or political reasons. They locate the problem in the failure of implementing the OFA, i.e. OFA fails to bring good results because it has been used for narrow party interests rather than implemented rightfully by the governing coalition (since 2006). And, while Macedonian and smaller communities do not see the stipulations of the OFA as the problem, rather they point out towards the political abuse in the course of its implementation, the Albanian opposition parties see the OFA as ‘a dead agreement’, consequently propose changes. Some changes lean towards stronger power sharing, wider and more functional decentralization, greater cultural autonomy etc.

The inter-ethnic cohabitation on the other hand has been criticized from almost every interviewee. The criticism however comes from two different levels of perceptions for the cohabitation. Those parties in government put the accent on the good institutional

changes that OFA has provided and that serve the ‘cohabitation project’, while those in opposition claim that in spite of the higher representation of the minorities in public institutions, there is still evidence of mistrust and intolerance between ethnic groups at individual level.

There is a general agreement among the interviewees that the “electoral game” in Macedonia is mostly intra-ethnically driven, i.e. parties compete at intra-ethnic level rather than inter-ethnic outbidding. The exclusion from government has been proven to be a strong nationalistic radicalizer.

While the general opinion is that Macedonia’s bad economic situation is a driver for parties’ electoral nationalistic rhetoric, the OFA has been pointed out to be the main tool government coalition uses in the play of the nationalistic card. Namely, the practice of employment in the public administration, in the name of fair representation of ethnic communities, has opened the doors for manipulation of the poor electorate.

The issue of decentralization is still a topic debated across ethnic groups. While the majority claims no good has come to the multiethnic cohabitation from the post OFA decentralization, and from several policies regarding cultural autonomy of ethnic minorities, the Albanian parties claim that the lack of implementation of the decentralization can be a factor of radicalization of the inter-ethnic instability, rather than its good implementation. The smaller communities take closer stances to the majority ethnic Macedonian community and claim their position has been harmed with the territorial divisions. They feel they are much more prone to some kind of cultural assimilation after OFA was signed than before.

It would be too simplistic to argue that we have direct confirmation from the political parties that the OFA is a non-functional agreement. However, we have a clear understanding of the harm that some aspects of its implementation have done to the inter-ethnic cohabitation project so far. While the fair representation of the ethnic communities stipulated by the OFA is generally well accepted by the parties under analysis, they largely oppose the narrow party perspective of this policy by the governing coalition. The vast majority of the parties assessed the enlargement of the public administration in number rather than in quality as damaging for the country’s democracy, the political dialogue, and the intra and inter-ethnic relations.

In conclusion, transparent implementation of the OFA, fight against the corruption and the abuse of OFA for party gains, carefully designed regional policies, economic stability and balanced decentralization of budget are needed for the improvement of the stalling inter-ethnic cohabitation in Macedonia.

## REFERENCES

1. Ahmeti Ali. 2013. Facebook post from the 21 March 2013 at the Official BDI's web site. Available at: <http://kicevo.mk/ahmeti-kalashnjikov/>
2. Ames, N. 2014. Serbia v Albania: Drones, flags and violence in abandoned match. BBC [Available at: <http://www.bbc.com/sport/football/29624259>]
3. Balkan Insight. 2014. Macedonia Jails Albanian Terrorism Trial Protesters [Available at : <http://www.balkaninsight.com/en/article/macedonia-albanian-activists-slam-terrorism-murder-sentences/1431/albanska-nvo-kritikuje-presudu-u-slu%C4%8Daju-monstrum>]
4. Birnir, J.K., 2007. Ethnicity and electoral politics. Cambridge: Cambridge University press.
5. Bochsler, D., and Szöcsik, E. 2013a. The Forbidden Fruit of Federalism: Evidence from Romania and Slovakia. *West European Politics* 36(2), pp. 442-462.
6. Brancati, D. 2009. *Peace by design: managing intrastate conflict through decentralization*. New York: Oxford University Press.
7. Brubaker, R. 1998. *Myths and Misconceptions in the Study of Nationalism*. In: Moore, M. *National-Self-determination and Secession*. Oxford University Press. Oxford.
8. Brubaker, R., 2006. *Ethnicity without Groups*. Harvard University Press, Cambridge, Massachusetts, and London, England.
9. Cekik, A., 2014. Power-sharing and informal autonomy in the Republic of Macedonia. In Salat, I., Constantin, S., Osipov, A., and Szekely, I.G. (Eds.) *Autonomy arrangements around the world. A collection of well and lesser known cases*. Cluj-Napoca: Institutul pentru Studiul Problemelor Minorităților Naționale. pp. 223-39.
10. Chandra, K., 2012 (Ed.) *Constructivist Theories of Ethnic Politics*. Oxford and New York: Oxford University Press.
11. Elias, A., and Tronconi, F. 2011. *Autonomist Parties from Protest to Power: a Comparative Overview*. In Elias, A. and Tronconi, F. (Eds.) *From Protest to Power: Autonomist Parties and Challenges of Representation*. Wien: Wilhelm Braumuller, pp.345-371.
12. Gruevski Nikola. 2013. Prime Minister's Speech in Kicevo Campaign for the Local Elections in 2013. Available at: <https://www.youtube.com/watch?t=346&v=uvyr51r3faQ>
13. Horowitz, D.L. (2000) *Ethnic Groups in Conflict*. 2nd ed. University of California, Berkeley and Los Angeles.
14. Jenne, E.K. 2007. *Ethnic Bargaining: The Paradox of Minority Empowerment*. Ithaca and London: Cornell University Press.
15. Keating, M. (2011) Preface in: Elias, A. and Tronconi, F. (Eds.) *From Protest to Power: Autonomist Parties and Challenges of Representation*. Wien: Wilhelm Braumuller
16. Lijphart, A. (1977) *Democracies in Plural Societies. A Comparative Exploration*. New Haven: Yale UP, Print



17. Lijphart, A., (1984) *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*. New Haven and London: Yale University Press.
18. Lijphart, A., 2002. *The Wave of Power-Sharing Democracy*. In: Reynolds, A., 2002. *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*; New York: Oxford University Press Inc.
19. Lipset, S.M., and Rokkan, S. 1967. *Cleavage Structures, Party Systems and Voter Alignments. An introduction*. In: Lipset, S.M., and Rokkan, S. (Eds.) *Party Systems and Voter Alignments. Cross National Perspectives*. Free Press, New York, pp.1-64.
20. Montabes, P., Ortega, J., Villodres, C., Perez, N., and Enrique, G. 2004. *Sistemi elettorali e voto ai partiti regionalisti in Europa occidentale. Quaderni dell'osservatorio elettorale*. n51. pp.53-79
21. Muller-Rommel, F. 1994. *Ethno-Regionalist Parties in Western Europe: Empirical Evidence and Theoretical Considerations*. In: Ed. De Winter, L. (Ed.) *Non-state Wide Parties in Europe*. Barcelona: ICPS.
22. Norris, P. (2008) *Driving Democracy: Do Power Sharing Institutions Work?* New York: Cambridge UP, 2008 Print
23. Norris, P., 2002. *Ballots Not Bullets: Testing Consociational Theories of Ethnic Conflict, Electoral Systems. And Democratization*. In: Reynolds, A. *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*; New York: Oxford University Press Inc.
24. Plaks, L. 2011. *Regional perspectives on OFA as a model for enhancing co-existence in a multi-ethnic state*. In Reka, B. (Ed.) *Ten years from the Ohrid Framework Agreement - Is Macedonia functioning as a multi-ethnic state?* Tetovo: SEEU, 2011. pp. 47-8.
25. Rabushka, A., and Shepsle, K.A. 1972. *Politics in Plural Societies: A Theory of Democratic Instability*. London: Pearson/Longman.
26. Radio Free Europe. 2009. Interview with Menduh Taci, the President of DPA. [Available at : <http://www.makdenes.org/content/article/1763734.html> ]
27. Sorens, J. 2012. *Secessionism: Identity, Interest, and Strategy*. Montreal and Kingston, London, Ithaca: McGill-Queen's University Press. p.224.
28. Szocsik, E. and Bochsler, D. 2013b. *On Fissions and Fusions of Ethnic Minority Parties*. In Danero Iglesias, J.D., Stojanovic, N., and Weinblum. S. (Eds.) *New Nation-States and National Minorities*. Colchester: ECPR Press. pp. 231-54
29. Taleski, D. 2005. *Decentralization in the Republic of Macedonia: The last step across the abyss*. Working Paper at Stiftung Wissenschaft und Politik. German Institut for International and Security Studies. Berlin: SWP.
30. Taleski, D. 2011. *Post-conflict legacies and the Ohrid Framework Agreement: Discursive legitimization of political competition between Albanian parties in Macedonia*. In Risteska, M. and Daskalovski, Z. 2011. (Eds). *One decade after the Ohrid Framework Agreement: Lessons (to be) learned from the Macedonian experience*. Skopje: SRPM and FES. Pp. 1-294.
31. Zuber, C. I. 2012. *Ethnic Party Competition beyond the Segmented Market*. *Nationalities Papers: The Journal of Nationalism and Ethnicity*, 40:6, 927-944

32. Zuber, C.I. 2013. Whose Mobilization? An Ontological Primer on the Mobilization of National Minorities. In Danero Iglesias, J.D., Stojanovic, N., and Weinblum, S. (Eds.) New Nation-States and National Minorities. Colchester: ECPR Press. pp. 191-207.

### **Laws, Accords and Report**

1. Commission of the European Union 2014. 303 final Commission Staff Working Document the former Yugoslav Republic of Macedonia. 2014
2. Commission of the European Union. 2005a. 561 final Communication from the Commission. 2005 enlargement strategy paper. Brussels, 9.11.2005.
3. Consolidated Law of Territorial organization of the local self-government in RM. 2008. [Available at: [http://mls.gov.mk/images/laws/Konsolidiran\\_Zakon\\_za\\_teritorijalna\\_organizacija.pdf](http://mls.gov.mk/images/laws/Konsolidiran_Zakon_za_teritorijalna_organizacija.pdf) ]
4. Constitution of Republic of Macedonia. [Available at: [http://mls.gov.mk/images/laws/UstavnaRmizmeni\(new\).pdf](http://mls.gov.mk/images/laws/UstavnaRmizmeni(new).pdf)]
5. European Commission Strategy and Progress Reports. [Available at: [http://ec.europa.eu/enlargement/countries/strategy-and-progress-report/index\\_en.htm](http://ec.europa.eu/enlargement/countries/strategy-and-progress-report/index_en.htm) ]
6. Kreshevo Declaration 2007, signed by HDZ BiH, HDZ 1990, HSP, HSS BiH, NSRB, and HKDU. [Available at: [http://www.hdzbih.org/upload/tbl\\_dokumenti/kresevska\\_deklaracija\\_165048.pdf](http://www.hdzbih.org/upload/tbl_dokumenti/kresevska_deklaracija_165048.pdf)]
7. Law of Territorial organization of the local self-government in RM. 2004. [Available at: [http://mls.gov.mk/images/laws/Zakon\\_za\\_teritorijalnata\\_organizacija\\_na\\_lokalnata\\_samouprava\\_vo\\_RM.pdf](http://mls.gov.mk/images/laws/Zakon_za_teritorijalnata_organizacija_na_lokalnata_samouprava_vo_RM.pdf)]
8. Law on Inter-Community Relations Committee. 2007. [Available at: <http://www.sobranie.mk/inter-community-relations-committee.nspix>]
9. State Statistical Office of Republic of Macedonia. 202 Census. [Available at: [www.stat.gov.mk](http://www.stat.gov.mk)]
10. The Ohrid Framework Agreement. 2001. Skopje. [Available at: [http://www.siofa.gov.mk/data/file/Ramkoven\\_dogovor\\_mk.pdf](http://www.siofa.gov.mk/data/file/Ramkoven_dogovor_mk.pdf) ]



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Date of acceptance: March 18, 2016

Date of publication: June 15, 2016

Original scientific article

UDC 342.721:321.7

## THE FREEDOM AS A FRUIT OF INDIVIDUAL LIBERTY: OPERATIONALIZATION OF LIBERTY AND DEMYSTIFICATION OF FREEDOM

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### Abstract

*This paper is qualitative and theoretical research of the concept of freedom, perceived through different epistemological traditions. The research focus is laid on the phenomenon of freedom in the frames of liberal ontological and epistemological tradition, freedom as a derivative of the individual liberty, and how the individual liberty remains a precondition for evolving freedom. The beginning is characterized as a comparison between the different freedom traditions, starting with collective freedom traditions, following individualist freedom traditions and finalizing with operationalization of individual liberty. The process of operationalization of liberty, or presenting it as an organizational and regulation principle, leads to demystification of freedom in individualistic traditions, and indicates its tight connection with individual liberty.*

*Key words: freedom; individual liberty; liberalism; individual space; individual action*

### INTRODUCTION

This paper is qualitative and theoretical research of the concept of freedom, perceived through different epistemological traditions. The research focus is laid on the phenomenon of freedom in the frames of liberal ontological and epistemological tradition, freedom as a derivative of the individual liberty, and how the individual liberty remains a precondition for evolving freedom. The beginning is characterized as a comparison between the different freedom traditions, starting with collective freedom traditions, following individualist freedom traditions and finalizing with operationalization of individual liberty. The process of operationalization of liberty, or presenting it as an organizational and regulation principle, leads to demystification of freedom in individualistic traditions, and indicates its tight connection with individual liberty.

The problem of defining freedom in a liberal sense is common. This paper addresses the division line between the phenomena of individual liberty and freedom in liberal sense, and the relation established as a result of their connection - analyzed.

## DEFINING FREEDOM NEUTRALLY

A lot of definitions and interpretations of the essence of freedom could be found. The oldest sign symbolizing the freedom (or the liberty) is the Sumerian *Ama-gi* symbol (see: Image 1), which represents a situation where the prisoner is liberated by saying this phrase - meaning “go to your mother” - as a symbol of freedom and/or liberty.



**Image 1: *Ama-gi* written in classical Sumerian cuneiform** (Source: Halloran John Alan. 2006. *Sumerian Lexicon: A Dictionary Guide to the Ancient Sumerian Language*, David Brown Book Company)

The phenomenon of freedom is related to various meanings and interpretations, determined by the ideological and epistemological tradition. The most basic and common meaning of freedom, isolated from the ideological influences throughout the history could be represented as: “the power to act, speak, or think as one wants without hindrance or restraint” (Oxford dictionaries 2016). In that sense, the freedom remains a *power* of acting, following the individual’s *will*, without obstacles. According to the statement, there are three crucial elements, which the phenomenon freedom is based on: *power*, *will* and *absence of obstacles*. Accordingly, the freedom remains a power (utilizing a right) to *take an action*, presented as acting, speaking, thinking.

## FREEDOM TRADITIONS

Beside the neutral definition of freedom as a phenomenon, a lot of schools, ideological and epistemological traditions are defining it according to their *measures* and *understandings*, as a part of the ideological or epistemological framework. The two most common traditions are: collectivism and individualism.

The both traditions are defining and understanding the phenomenon of freedom in a different way when it comes to the *subject bearer of the freedom*. In the first tradition, the *collective* as a *sum* of individuals, or a *unit* contained of individuals (Laszlo 1963, 6) is the subject bearer of the freedom. The second tradition emphasizes that only the individual could be the subject bearer of the freedom.

As mentioned above, the collective freedom traditions attach the phenomenon of freedom to the *collective unit*, or/and the *sum of individuals*. In that sense, the individuals as single units cannot be the subject bearer of the freedom, but they could be part of the subject through participation in the *unit* or the *sum*. The difference between *collective unit* and *sum of individuals* is that the first is centralized and hierarchical body, while the second is decentralized in a sense that the individuals as single units could participate in the collective exercise of freedom. The most significant traditions of collective freedom are:

1. *nationalism*,
2. *socialism* and
3. *democratic tradition*.

The *nationalism* as an ideology and political theory and particularly its main proponents are creating and utilizing the *quasi-scientific* concept of *national freedom*. In their perspective, the subject bearer of the *national freedom* is the *nation*. In that sense, the category of freedom is connected with its subject bearer - the nation - which represents a collective unit, composed of individuals with a specific homogeneous part of their identity, such as *language*, *religion*, and common *collective memory*. It is supposed, that *collective needs* could be satisfied through *nation's preferences*. The nation could be located as a source of the political power, and it presents a *collective, undivided unit*, broader than the individuals living on the state's territory (Shkarik & Siljanovska 2009, VII Ch.).

On the contrary, *the nation* could be defined as an imagined political community, which represents the sovereign (Anderson 1998, 19). The national freedom remains a *political category*, materialized in the process of state-building, where the individuals could exercise freedom as a part of the national freedom. Operationalized, the national freedom represents a politico-organizational principle for *nation-state* building as a political praxis. The *national freedom* and the *individual liberty* with their connection to the *individual freedom* are not corresponding mutually, and the first could be *potential threat* to the second and the third.

The second ideology - *scientifically based* - is socialism, or narrowly Marxism, which perceives the freedom as *emancipatory (material) freedom*. Marxists are developing the idea of *emancipatory freedom* as the opposite idea of a *metaphysical freedom*, which is often identified with the liberal or individualistic notion of freedom. From Marxist standpoint, "Freedom is the right and capacity of people to determine their own actions, *in a community which is able to provide for the full development of human potentiality* (Encyclopedia of Marxism) ("the right of bread prior then the freedom"). Freedom may be enjoyed by individuals but only in and through community." Accordingly, the phenomenon of freedom is determined by the social context or the community. In that sense, the freedom is not an independent phenomenon, and its fulfillment depends on the *community*, or the *social context* which is identified with *a community that is able to provide for the full development of human potentiality*. In the political praxis of Marxism or the *real socialism* achieved in USSR and Eastern Europe, practically the concepts of *national freedom* and *material freedom* are implemented almost as synonyms. Although conceptually, there are differences between the both: the *nation* positioned itself as a subject barrier of the freedom, *decorated* with Marxist *ornaments*. The most common, most adopted, and most preferential tradition within the collective freedom traditions is the democratic tradition. The democratic tradition, influenced also of individualistic freedom traditions, recognizes individual liberty (negative freedom), and political (positive) freedom, corresponding with Berlin's freedom approach (Berlin 2000, 50). The negative freedom and the positive freedom are not representing a different vision of the freedom in general, but two different ways of defining and conceptualizing the general meaning of freedom. The positive freedom identifies the right of the individual as a part of the *sum of individuals* (Rousseau 1978, 22), often represented through the nation, to participate in the process of policy making, as a subject of the political power.

### *Individualistic freedom traditions*

The third ideology with the biggest impact of today's international political reality - *liberalism* (in its broadest sense) - develops its own freedom perspective, based on the individual liberty that is positioned at the top of its axiological pyramid. The starting point for demystification of the freedom, in the sense of *classical liberalism*, *contemporary libertarianism*, and *individualist/market anarchism*, is dealing with the *phenomenon of individual liberty*. Due to these tendencies, the individual liberty appears as:

1. the highest *value* in the *liberal* axiological pyramid,
2. the main *concept* in the liberal theory,
3. the basic *organizational principle* in a society,
4. the basic *regulation principle* in a society.

All of these meanings or interpretations of individual liberty are narrowly connected with a certain branch of the social science. The individual liberty - *perceived as a value* - is a subject of philosophy, particularly ethics. Perceived as a concept, it remains in the interest of political science within political theories. The interpretation of liberty as a principle varies from the branch standpoint; the political science, or particularly public policy researching, lays an accent on liberty as an (political) organizational principle, while the interpretation of liberty as regulation principle in society could be of interest within sociology and law.

### CONCEPTUALIZING LIBERTY

The first meaning of the individual liberty as a value remains in the frames of the *ethics*, as specific part of the philosophy. The individual liberty is positioned as the highest value in the liberal ethics. Appearing as a value, it is based on two common justifications. The *first justification* of individual liberty in the scope of the liberal axiological tradition is the *moral* (Palmer 2015, 31), *philosophical* or *metaphysical justification*. According to it, the individual liberty appears solely as a goal in the liberal theory, independently from other social values such as *order*, *social justice*, *material equality* (*egalitarianism*) etc. This justification is close to the standpoint of the *objectivism* as 20<sup>th</sup> century philosophical school in the scope of the broadest contemporary libertarianism. The *second justification* is the *utilitarian, economic justification* (Palmer 2015, 31) of individual liberty, which could be located in the statement that materializing the idea of individual liberty and developing free society could enhance the process of fulfilling other *social goals* represented as *social values*. In that sense, through developing a *free society*, where the individual liberty got its *absolute form*, other goals such as *social justice*, *order*, *equality* etc. could be achieved. Most of the liberal schools adopt this justification, such as *classical liberalism* in its original context, *individualist anarchist* tradition, and *contemporary libertarianism*.

The second meaning, or individual liberty as a concept, has an *ontological, philosophical* nature. The basic and most common definition of individual liberty is the following: "absence of interpersonal violence, the use of initiated force or violence, or its threat against the person or property of another" (Osterfeld 1986, 239). In that sense, the individual liberty emerges as a *state of non-violence or threat with violence*, as an *antonym* of violence or threat with violence (the violence and/or threat with violence could be submerged into the *category of coercion*) (Rothbard 2009, 11).

Following, the individual liberty is solely *determined* by the *coercion*. The people are fully enjoying *absolute individual liberty* when there is absence of coercion in the *regulation* of their relation with other individuals and with themselves - *principle of self-ownership* (Rothbard 2002, 28). This method of *establishing* and *regulating* interpersonal (social) relations is conceptualized in the principle of *non-aggression*, which is the foundation of the liberal thought. The *alternative regulation method* of coercion is the regulation method of *consent* or *contractual method*, which is non-coercive (Palmer 2009, 126). This method for developing interpersonal (social) relations could be operationalized as *expressing consent for each interpersonal (social) relation that affects the individuals in the relation and out of the relation*. The *consent* or *contractual* method is conceptualized in the *principle of voluntarism*.

## OPERATIONALIZATION OF LIBERTY

Operationalized individual liberty covers two meanings: liberty as an organizational principle, and liberty as a regulation principle. Liberty as an organizational principle is linked to the *politics*, where the individual liberty appears as a primal *organizational principle* the public policy is based on; and a *regulation principle* for the *interpersonal (social) relations* in the concrete society. The first two meanings are more or less abstract meanings of the liberty. However, when liberty is perceived as an organizational and regulation principle of a society, there is a need of specifying it, and the political and social reality effects it produces.

### *Liberty as an organizational principle*

The projection of the individual liberty as an organizational principle could emanate from the most common definition of it and its constitutive elements. The individual liberty remains an *absence of violence and/or threat with violence*. Deriving from the axiom, the relation between the individual liberty and the violence is a *zero-sum game*. Since violence is the determining the liberty, and their relation as a *zero-sum game*, it could be concluded that their relation is *conversely proportional*. The sum of individual liberty has an increasing tendency by lowering the sum of violence from the social (interpersonal) relations, and conversely. The violence and the threat with violence have two forms in a society. The first emerges as *decentralized, non-organized, non-legitimate violence*, while the second as *centralized, organized, and legitimate violence* (Rothbard 2009, 11). The decentralized violence could be exercised by private agents, while the organized one is performed by *the state*.

In the focus of interest of this paper is the political understanding of individual liberty as an antonym of the *organized violence*, manifested in *the State* (Oppenheimer 1926, 24-25). *The State* could be defined as a “human community which successfully claims monopoly on legitimate use of physical coercion on certain territory.” (Fukuyama 2012, 24). It could be also defined as “a group of persons who have and exercise supreme authority within a given territory or over certain population.” (McLaughlin 2007, 74). In that sense, the state could be manifested as a certain group of people that are subject barrier of *political power* (Mann 2006, 9), *condign power* (Galbraith 1995, 4-5), or the power to use and/or threat with violence, expressed on a certain territory (Krasner 1999, 47). In

addition,” the state is sovereign, or the supreme power within its territory, and by definition the ultimate authority for all laws, i.e. binding rules supported by coercive sanctions” (Dosenrode 2007, 19). The violence is the main method the state is based on.

The potential political reality, appearing as a consequence of a full adoption of the principle of individual liberty is the establishment of *free society* (Butler 25, 2013). Depending of the individualistic liberty tradition, the phenomenon of *free society* could be perceived as a *state of anarchy* in the epistemic tradition of individualistic anarchism. According to it, there is no justification of a State as a *violation* of the individual actions (Rothbard 2009, 11). Anarchy remains a state of no political authority (McLaughlin 2007, 27) as a legitimate monopoly of practicing physical force. The phenomenon of free society that could be also perceived as a *state of presence of minimal (public) government* appeared in the *Minimal (Night-watchman) state* (Nozick 1974, 26) as a bearer of political authority. The classical liberalism and contemporary libertarianism adopt a justification solely for minimal State. The minimal (night-watchman) state stands for the state that is significantly limited, and its function is associated with protection of individual life, liberty, and property (Locke, 2006) of non-organized violence. The other spheres of social (interpersonal) relations remain unregulated from the state, but instead, they are objects of *non-coercive regulation* (Rothbard 2009, 913).

The individual liberty in its *absolute form* - in political sense - is organizationally operationalized in a condition of anarchy, or in a condition where the state still exists, but with a small capacity to get involved in the *individual actions*, represented in the form of a Night-watchman state. Projected, the individual liberty within this libertarian position could be identified as an **individual space** for individual action. Basically, it represents a neutral space that each individual possesses, which could be active within it, without any restriction from some political center. If the position is neutral and remains out of the domain of *coercion*, it could be concluded that the *individual spaces* of each individual remains *equal* in a quantitative sense. So, the individual liberty - represented as an individual neutral space of a certain individual - is equal to other individuals' liberties. Finally, if the individual liberties that each individual *possess* are equal in a free society, then the liberty achieved its absolute form. The absolute form of liberty in this sense is not a synonym with the *natural liberty* in Hobbes's (Hobbes 2010, 106) and Locke's sense, but it is a derivative from them, compromised by the individual life as a main value based on liberty (Locke, 2006). Accordingly, the all individual liberties are mutually bound (Ilievski 2015, 12), leavening an equal amount of *neutral individual space*.

**Table 1: Operationalized liberty as an organizational principle**

Method	Principle	Actor	Authority	Type of socio-political organization
Coercive	Physical force	The State	Political	The State
Non-coercive	Individual space	Individuals	No political authority	Anarchy/ Night-watchman state



### *Liberty as a regulation principle*

Regulation in its most basic sense stands for “principle or rule (with or without the coercive power of law) employed in controlling, directing, or managing an activity, organization” (Business Dictionary). In that sense, the regulation stretches the *process of making* and the *sum of rules* and norms, which are conducting human behavior and interpersonal (social) relations. The process of regulation plays a huge role in the establishment of an *order* as a preferential social value and goal. The crucial point of division relates the method of maintaining and exercising the norms, which can be *coercive* or *non-coercive*, and according to the division, the regulation could be *coercive* or *non-coercive*. Analyzed through the prism of voluntarism, the regulation could be with an *individual consent* - for the relations each individual evolves - or non-consensual, where the individual does not express its consent and the regulation is maintained coercively. The coercive method of regulating human behavior covers the existence of the state, as a social regulator with its legitimate monopoly of physical force. *The state* appears as a subject bearer, decision-making center, and executer of the regulation, and correspondingly, a creator of an *order*. The coercive regulation originates from the political authority (McLaughlin 2007, 69) signified in the political center of decision-making, which is practicing the regulation following *top-down* approach. In this case, the objects of the regulation are the individuals and their relation. As a consequence of the coercive or centralized regulation, the *coercive* or *conscious order* (Bamyeh 2009, 28) appears.

In the opposite case (the case of potential non-coercive order), individual liberty - along its understandings as value, concept, and organizational principle - could appear as a regulation principle, an alternative for the coercive regulation, and a basic principle for non-coercive regulation. In that sense, the individual liberty remains an individual space for **individual action**. An individual action is represented in the individual preference and the individual will. The individual actions possess capacity of networking each other by following the human interactions. The order that could appear from a potential network of individual preferences, manifested in the inter-networked individual actions, appears in the literature under various names, such as *spontaneous order* (Proudhon, 1863), *voluntary order*, *unimposed order* (Bamyeh 2009, 28), *polycentric order* (Hayek 2011, 230), *social order* (Elias 2001, 40) or *natural order* (Hoppe 2007, 71). The spontaneous order could be defined as:

Significant and positive coordinating force – in which decentralized negotiations, exchanges, and entrepreneurship converge to produce large-scale coordination without, or beyond the capacity of, any deliberate plans or explicit common blueprints for social or economic development (Chartier & Charles 2011, 2).

The connection of the individual actions constitutes individual rights and duties in a form of *consensual act - contract* (Rothbard 2009, 91) in a form of *practical authority* (Bamyeh 2009, 27) as their source. The *absolute freedom* is relativized with the constituting of the act and the *practical authority* as its essence, in accordance with the individual's preference, manifested in a *given-consent*. The process of self-relativization of freedom positions itself as the essence of the spontaneous order, in a *bottom-up* order.

**Table 2: Operationalized liberty as a regulation principle**

Method	Principle	Actor	Objects	Authority	Goal/Consequence	Type of regulation
<b>Coercive</b>	Non consensual	Political center	Individuals and their relations	Political	Coercive order	Centralized
<b>Non-coercive</b>	Individual action	Individuals	Individuals and their relations	Practical	Spontaneous order	Decentralized

## **THE FREEDOM AS A FRUIT OF INDIVIDUAL LIBERTY**

As explained beyond, the operationalized individual liberty could appear as an organizational principle, an essence of political reality, and individual liberty, as a regulation principle, an essence of social reality. Operationalized individual liberty could be defined as *individual space for individual action*, where the individual space covers the neutral space of the individual, characterized by exclusion of coercion, and the individual action symbolizes the individual preference, articulated in the neutral space. The individual space appears as a guarantee for the individual action, and without any individual action taken, it is an empty space. Each individual has an equal neutral space for actualizing its preference under these conditions. Once liberty operationalized, the question that arises is whether the freedom could find its place within this operationalization, in the individualistic freedom tradition in general.

The basic and neutral definition of freedom that the paper started with is “the power to act, speak, or think as one wants without hindrance or restraint.” In accordance to this neutral definition of the freedom in most general sense, it could be stated that it corresponds with the second part of the operationalized liberty. It refers to the individual action that takes place within the individual space. The first part of the definition - “the power to act, speak or think” - refers to the individual action. The second part of the definition - “as one wants without hindrance or restraint” - refers to the individual space, which remains a non-coercion guarantee for the action, or the power to act, speak, or think.

In this case, the individual liberty could be analyzed as an individual space, while the freedom as an individual action. The individual space and the individual action complement each other. The individual space covers no coercive interference, while the individual action allows consensual interference. The individual space remains a neutral space that is not connected with individual preferences which are also crucial to the individual action. The individual action is a subjective category determined by the

individual preference, while the individual space is an objective category that is socially and politically recognized and legitimate. The individual spaces are equal in their quantitative dimension, while each action could not be equal with another action. In that sense, the individual space could be identified as a base for the action, while the action could appear as a superstructure based on the space. The individual space is politically established as a political organizational principle, while the individual action is socially established as a result of the space and the human interaction. The action deriving from its unequal nature varies, while the individual space preserves its constant and equal nature. Finally, the individual space covers a passive principle with constant nature, while the individual action is determined by each individual.

As a conclusion, it could be stated that the freedom is a fruit of liberty, therefore the liberty guarantees the space where the freedom potentially arises from, and accordingly, the first determinates the second. The individual liberty could be defined as the individual space for an individual action, which lays an accent on the individual space. The freedom could be defined as the power to act, speak, or think as one wants without *coercive* hindrance or restraint, and to pay more attention of the power to act, speak, and think, or synthesized in an individual action. The space is a precondition for action, while the action is the sense and the meaning of the space.

## CONCLUSION

It could be concluded that the operationalization of liberty leads to demystification of the freedom in the frames of liberal epistemology. Firstly, the phenomenon of freedom is defined in a *neutral*, etymological way. Two basic freedom traditions are exposed: the collective freedom tradition and the individualistic freedom tradition. The essential difference between the both is the difference around the subject bearer of freedom, which could be a collective unit, sum of individuals, or an individual. In the scope of the individualistic freedom tradition, conceptualization and operationalization takes place. The conceptualization of liberty stretches the individual liberty understood as *value* (philosophical standpoint) and as *concept* (political science and political philosophy standpoint). The operationalization of liberty covers the two meanings of individual liberty as an organizational principle and as a regulation principle.

Namely, it could be stated that the freedom is a fruit of liberty, therefore the liberty guarantees the space where the freedom potentially arises from, and accordingly, the first determinates the second. The division line is the following:

1. The individual liberty could be defined as the individual space for individual action, which lays an accent on the individual space;
2. The freedom could be defined as the power to act, speak, or think as one wants without *coercive* hindrance or restraint, and to pay more attention to the power to act, speak, think, or *synthetized in individual action*.
3. The space is a precondition for action, while the action is the sense and the meaning of the space.

## REFERENCES

1. Anderson, Benedict. 1998. *Imagined Communities: Reflections on the Origin and spread of Nationalism*. Kultura, Skopje. Translated to Macedonian by Ema Markoska – Milcin.
2. Bamyeh A. Mohammed. 2009. *Anarchy as Order: The History and Future of Civic Humanity*. Rowman & Littlefield Publishers, Inc., Lanham, Boulder, New York, Toronto, Plymouth.
3. Berlin, Isaiah. 2000. *Four Essays on Liberty*. Kultura, Skopje. Translated to Macedonian by Ljubica Arsovska.
4. *Business Dictionary*. Regulation. Available on: <http://www.businessdictionary.com/definition/regulation.html#ixzz47gLY95Eu> [2016]
5. Butler, Eamonn. 2013. *Foundations of a Free Society*. The institute of economic affairs. Westminster, London. Available on: [http://www.iea.org.uk/sites/default/files/publications/files/IEA%20Foundations%20of%20a%20Free%20Society%20web%202029.10.13\\_0.pdf](http://www.iea.org.uk/sites/default/files/publications/files/IEA%20Foundations%20of%20a%20Free%20Society%20web%202029.10.13_0.pdf) [2016]
6. Chartier, Gary & Johnson W. Charles. 2011. *Markets Not Capitalism: Individualist Anarchism against Bosses, Inequality, Corporate Power, and Structural Poverty*. Minor Compositions, London, New York, Port Watson.
7. Dosenrode, Soren. 2007. *Approaching the European Federation?*. Ashgate Publishing Limited, Ashgate Publishing Company, England, USA.
8. Elias, Norbert. 2001. *The Society of Individuals*. Continuum, New York, London
9. *Encyclopedia of Marxism*. Freedom. Available on: <https://www.marxists.org/glossary/terms/f/r.htm> [2015]
10. Fukuyama, Francis. 2012. *State Building: Governance and World Order in the Twenty-first Century*. Slovo, Skopje. Translated to Macedonian by: Emilija Gjorgjievska.
11. Galbraith, John Kenneth. 1995. *The Anatomy of Power*. Kultura, Skopje. Translated to Macedonian by: Aneta Markovska.
12. Hayek, A. Friedrich. 2011. *The Constitution of Liberty: The definitive edition*. The University of Chicago Press, Chicago, London.
13. Halloran John Alan. 2006. *Sumerian Lexicon: A Dictionary Guide to the Ancient Sumerian Language*, David Brown Book Company.
14. Hobbes, Thomas. 2010. *Leviathan or the matter, form and power of a commonwealth ecclesiastical and civil*. Az-Buki, Skopje. Translated to Macedonian: Uskokov Aleksandar & Moshtanovska Aleksandra.
15. Hoppe, Hans - Hermann. 2007. *Democracy the God that Failed: The Economics and Politics of Monarchy, Democracy, and Natural Order*. Transaction Publishers, New Brunswick (U.S.A.) and London (U.K.)
16. Ilievski, Nikola. 2015. *Individual sovereignty: Conceptualization and Manifestation*. *Journal of Liberty and International Affairs*. Institute for Research and European Studies, Bitola. Available on: [http://e-jlia.com/papers/v2\\_2.pdf](http://e-jlia.com/papers/v2_2.pdf) [2016]
17. Krasner, D. Stephen. 1999. *Sovereignty: Organized Hypocrisy*. Princeton University Press, Princeton, New Jersey.
18. Laszlo, Ervin. 1963. *Individualism, Collectivism, and Political Power: A Relational Analysis of Ideological Conflict*. Springer-Science+Business Media, B.V., Hague.

19. Locke, John. 2006. A letter concerning toleration & Two treaties of government. Az-Buki, Skopje. Translated to Macedonian by Stamatov Aleksandar & Nichevski Dejan.
20. Mann, Michael. 2006. The sources of social power: Volume II The Rises of Classes and Nation-states, 1760-1914. Cambridge University Press, Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, Sao Paulo.
21. McLaughlin, Paul. 2007. Anarchism and Authority: A Philosophical Introduction to Classical Anarchism. University of Tartu, Estonia.
22. Nozick, Robert. 1974. Anarchy, State, and Utopia. Blackwell Publishers Ltd, Oxford, UK.
23. Oppenheimer, Franz. 1926. The State: Its history and development viewed sociologically. Vanguard Press, New York.
24. Osterfeld, David. 1986. Freedom, Society and the State: An Investigation into the Possibility of Society without Government. Cobden press, San Francisco, CA.
25. *Oxford dictionaries*. Freedom. Available on:  
<http://www.oxforddictionaries.com/definition/english/freedom> [2016]
26. Palmer, G. Tom. 2015. Why liberty. Institute for Research and European Studies, Bitola. Translated to Macedonian by Students for Liberty – Macedonia.
27. Palmer, G. Tom. 2009. Realizing Freedom: Libertarian Theory, History, and Practice. Cato Institute, Washington D.C.
28. Proudhon, Pierre-Joseph. 1863. The Principle of Federation and the Need to Reconstitute the Party of Revolution. Available on:  
<http://www.ditext.com/proudhon/federation/federation.html> [2016]
29. Rothbard, N. Murray. 2009. Anatomy of the State. Ludwig von Mises Institute, Auburn, Alabama.
30. Rothbard, N. Murray. 2002. For a New Liberty: The Libertarian Manifesto. Collier Books, A Division of Macmillan Publishing Co., Inc., Collier Macmillan Publishers, New York, London.
31. Rothbard, N. Murray. 2009. Man, Economy, and State: A Treatise on Economic Principles with Power and Market Government and the Economy. Ludwig von Mises Institute, Auburn, Alabama.
32. Rousseau, Jean-Jacques. 1978. Du contract social ou principes du droit politique. Skopje: Misl. Translated to Macedonian: Takovski Jovan.
33. Shkarik, Svetomir & Siljanovska-Davkova, Gordana. 2009. Constitutional Law. Kultura, Skopje.



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Date of acceptance: April 25, 2016

Date of publication: June 15, 2016

Review article

UDC 341.232:343.85(100)

## EXTRADITION AS A TOOL FOR INTER-STATE COOPERATION: RESOLVING ISSUES ABOUT THE OBLIGATION TO EXTRADITE

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### Abstract

*Extradition as an act of international cooperation for the repression of criminal activities of the criminal offenders is one of the various models whereby one sovereign state delivers up the alleged accused criminals found within its jurisdiction, on demand, to another sovereign state, so that they might be dealt with according to the penal laws. Extradition has evolved among states because they are vitally interested in the repression of crimes and punishment of criminals who violate their national laws and thus disturb the general peace of the society. This article aims to describe the problems with which extradition is faced, especially with the obligation to extradite and with the obligation to take care of her own citizens in situations when the Constitution does not allow extradition of own nationals and in the absence of an extradition treaty.*

*Key words: extradition; nationals; extradition treaty; criminal offenders*

### INTRODUCTION

With the increase of globalization we are witnesses that the criminality, even common crime, has lost its primarily territorial nature and we are faced with the problem of international or transnational crime. With criminals acting and moving across borders, a need and a common practice for exercise of extraterritorial criminal jurisdiction have arisen. Due to the increased mobility of individuals including criminals, extradition is often indispensable to bringing the accused to justice in a foreign jurisdiction.

Extradition presents an act of international legal cooperation for suppressing criminal activities and consists of handing over individual who is accused or convicted of a criminal offence by one state to another which intends to prosecute or punish him in accordance with its laws (Aust 2007). The law of extradition, which is a branch of international criminal law, is based on the assumption that the requesting state is acting in good faith and that the fugitive will receive a fair trial in the courts of the requesting state. In the absence of any supranational authority over the states, however, they, like individuals, have to work among themselves through mutual support and assistance for the protection of the person and property of the subjects.

It is evident that the concept of extradition it is not a new idea, it is one of the oldest institutions whose origin can be traced to the bygone civilizations, however it is arduous to discover when it did come up as such in the course of history. The historical evolution of the practice of extradition explicitly demonstrates that in earlier centuries, it was not ordinarily a tool of international cooperation for the preservation of world societal interests but to preserve the political and religious interests of states (Blakesley 1981). It gradually developed, however passing through various stages of feudalism, absolute monarchism, and the growth of parliamentary institutions through which the political organization of the state itself has passed. Finally it evolved in an institution of genuine public criminal law for the suppression of common criminality of subjects.

Hence, it must be admitted that extradition proceedings face with crucial problems concerned, first of all with extradition of citizens and then with the duty to extradite under international law which may not be exercised in all circumstances. Because of that reason, in this article will be explained some of the major issues concerning the procedure of extradition and the obligations by the states taken from the ratified international conventions and signed bilateral extradition treaties.

### **GENERAL FRAMEWORK OF EXTRADITION**

The principal rules and practices of international extradition constitute a significant body of international law. It is noteworthy that this body of international law was derived almost wholly from treaty sources and grew to recognize stature before treaties had overtaken custom as the most important source of international law (Shearer 1971,18). As a result, in certain important matters there is a considerable uniformity in bilateral treaties and municipal extradition statutes. In many other respects, however, extradition treaties and legislation present a complex and varying picture throughout the world, and there is a great need for further development and harmonization.

Extradition treaties and legislation not only supply the broad principles and the detailed rules of extradition but also dictate the very existence of the obligation to surrender fugitive criminals. It is clear that states do not extradite criminals in the absence of a treaty or a municipal law which empowers them to do so (Bassiouni 2008). Hence the existence of a treaty commitment to extradition in the United States, United Kingdom and the countries of the Commonwealth whose extradition laws are modeled on those of the United Kingdom. In some other countries, extradition may take place in the absence of a treaty but as an act of grace rather than of obligation, and in accordance with the provisions of municipal statutes operating in the absence of a treaty. In many countries extradition by statute is dependent upon an ad hoc guarantee of reciprocity which is tantamount to a treaty. In addition to bilateral extradition arrangements, whether by way of treaty or of reciprocal application of laws, there is a growing number of multilateral extradition arrangements among groups of states having some geographical or political links (Shearer 1971, 18).

The framework of international co-operation in the suppression of crime thus consists very largely of binding international commitments, whether of a bilateral or a multilateral nature. Extradition is one element in those systems, designed to stop fugitives using borders as a means of escaping justice. The object of extradition is to ensure that

those accused or convicted of serious crime do not escape from justice by crossing international boundaries (Bradley 2007, 466).

Extradition has a role to play in enforcing international criminal law and in assisting states to prosecute violations of purely domestic legislation. Away from criminal law, extradition has another function and that function consists of protecting the fugitive rights. Part of the problem with extradition is in trying to achieve the correct balance between allowing the free flow of fugitive criminals to states where they may be prosecuted for their crimes, and in safeguarding the fugitive from oppressive punishment or from persecution on account of his personal characteristics, beliefs and opinions. (Gilbert 1998). Even where the system is being properly used to affect the return of a fugitive criminal, it is still guaranteeing the fugitive's rights, because extradition is the specific means designed by states for that purpose, alternative methods, such as exclusion, deportation or abduction, lack the built-in safeguards of extradition arrangements, thereby allowing the fugitive's rights to be ignored. The viability of these instruments is of the utmost importance in the present state of extradition law and practice. Just as divergent rules and confusing procedures resulting from such a large number of instruments have prompted a number of international bodies at various times to canvass the possibility of concluding a single convention or a model code of extradition, so too the need for a common obligation to extradite would be well served by a single instrument having world wide application (Shearer 1971,23). But from all this we can see that all such attempts, have so far met with no success. In the meantime the very existence of the present bases of obligation is being threatened.

### **PROBLEMS CONNECTED WITH THE ISSUE OF EXTRADITION OF NATIONALS**

Broadly speaking when a state enters into an extradition treaty relationship with another state based on reciprocity, it seems to imply an understanding that the parties view as more or less equivalent their respective conceptions of the fundamentals of criminal justice. On this basis, is it in keeping this perceived mutual confidence and respect, for the requested state to refuse to extradite its own citizens and nationals, on one hand, but also to be amenable to surrender non-citizen permanent residents or other aliens on the other.

If the criminal law safeguards at trial and other guarantees for the fair trial of the fugitive, once extradited are more or less equivalent in both states, then should not extradition of all offenders be viewed in the same way or permitted (Shearer 1971, 107).

Many civil law states prefer to exercise criminal jurisdiction over their citizens whether an offence was committed on their own territory or abroad. The rationale for this exception is linked to sovereignty, and in some states it is considered to be a fundamental right. Indeed, in some states it is enshrined in national constitutions. In order to determine whether a person is citizen, reference should be made to the relevant national law on nationality. For example Nordic states consider all registered residents as citizens, raising concern that suspected terrorist seeking refuge in one of these states could avoid extradition on the grounds of residency (Bantecas and Nash 2007,308).

There is a big dilemma should a state allow extradition of their own citizens, or should it be avoided? For example Hungarian Criminal Code says "A citizen of Hungary cannot be extradited to another State except if otherwise provided for in an international



treaty or convention". Ireland has a rule that "extradition shall not be granted where a person claimed is a citizen of Ireland, unless the relevant extradition provisions otherwise provided". The Constitution of Italy says that "Extradition of citizens is permitted only in cases expressly provided for in international conventions" (Article 26 1948). Swiss law similarly prohibits the extradition of Swiss citizens and provides for their prosecution in Switzerland for crimes committed abroad (Article 25 1999). The Netherlands has a rule of non-extradition of Netherlands citizens. Italy declares that "the rule against extradition of citizens is required on the ground that Italy owes protection to its citizens, and cannot abandon them to their lot, if charged with crime, to the mercy of foreign law" (Shearer 1971, 108). The EU Member States have demonstrated a reluctance to let procedural differences restrict international co-operation. The optional clause in many extradition treaties which permits states to refuse a request for extradition of their own citizens is seen as a disincentive to cross-border law enforcement.

Even nowadays there are many states in the world that exercise the nationality exceptional rule i.e. the principle of non-extradition of nationals, although the "modern practice" which has been broadly accepted is to allow extradition of own nationals on the basis of international conventions and bilateral extradition treaties. Extradition of nationals under determined circumstances will allow not only concluding more bilateral extradition treaties among states, but also will affect the battle against terrorism, organized and transnational crime all around the world and will leave no space for the criminal offender to hide in order to avoid justice.

Non-extradition of nationals is a principle that is well known in the extradition practice all over the world and even thought dates from medieval times and considerable changes in the international legal system, in international criminal law and in non-extradition of nationals as one of extradition principles, also prescribing opportunity for the states to clarify the complicated status of certain number of their inhabitants, by attaching a declaration defining the meaning of the term "nationals" for the purposes of the application of the European Convention on Extradition (Elezi, Gjorgeva and Ristoska 2010, 4).

Having in mind the fact that extradition of own citizens in many occasions is causing a serious problems on international level, it must be mentioned that we cannot detect any international instrument which allows extradition unconditionally without any limitations to its application. Regarding the issue about extradition of nationals, the European Convention on Extradition in its Article 6 prescribes:

- a) Contracting Party shall have the right to refuse extradition of its nationals.
- b) Each Contracting Party may, by a declaration made at the time of signature or of deposit of its instrument of ratification or accession, define as far as it is concerned the term "nationals" within the meaning of this Convention.
- c) Nationality shall be determined as at the time of the decision concerning extradition. If, however, the person claimed is first recognized as a national of the requested Party during the period between the time of the decision and the time contemplated for the surrender, the requested Party may avail itself of the provision contained in subparagraph a of this article.

According to the above mentioned, If the requested Party does not extradite its national, it shall at the request of the requesting Party submit the case to its competent authorities in order that proceedings may be taken if they are considered appropriate.

For this purpose, the files, information and exhibits relating to the offence shall be transmitted without charge by the means provided for in Article 12, paragraph 1. The requesting Party shall be informed of the result of its request (Article 6 1957).

The Convention relating to Extradition between Member States of the European Union contains a provision where nationality as a refusal ground only applies for those Member States which have made a declaration to that effect to be renewed every five years (Article 7 1996). Subsequently Austria, Germany, Greece and Luxembourg have declared that they will not extradite nationals. Denmark has declared that extradition of national may be refused. Belgium, Finland, the Netherlands, Portugal, Spain and Sweden will grant the extradition of nationals only under certain conditions (Kapferer 2003,39). As indicated earlier, there is not general obligation to prosecute in such cases, although the possibility of refusing to extradite citizens may be coupled with a duty to prosecute them in the courts of the requested state. For example, the Western Balkan countries before several years were applying the principle of non-extradition of nationals. The Constitution of the Republic of Macedonia previously did not allow extradition of Macedonian citizens on any basis (Article 4 1991). Because of that reason, the Assembly of the Republic of Macedonia on 12 April 2011 adopted the Amendment XXXII from the Constitution of the Republic of Macedonia, which provides concluding agreements for transfer of own nationals to other countries, for conducting criminal proceedings for committing crimes in the area of organized crime and corruption. With the adopted amendment, the full text of the provision states: “A citizen of the Republic of Macedonia may neither be deprived of citizenship, nor expelled or extradited to another state, except on the basis of ratified international agreements or with a court decision” (Article 4 para.2 2011).

Amendments to the Constitution in this area are conducted in order to create preconditions for dealing with organized crime and corruption and to comply with international agreements. Main instrument for successful dealing with trans-national organized crime is an effective legal and judicial cooperation. The activities to be undertaken in the forthcoming period will be focused on signing bilateral agreements on extradition of own nationals and nationals of other states in the Republic of Macedonia for acts of organized crime and corruption (see: [www.justice.gov.mk](http://www.justice.gov.mk)). In relation to the above mentioned, there is a considerable willingness by the states to grant extradition of nationals under specific conditions, namely under ratified bilateral extradition treaties.

## **OBLIGATION TO EXTRADITE UNDER INTERNATIONAL LAW**

Whether international law imposed a duty on states to extradite common criminals was once a highly controversial issue. The fathers of international law did not dispute the efficacy of the practice of extradition but differed as to whether a legal or merely a moral obligation to surrender criminals existed (Boister 2012).

Admittedly, there is no justification in causing the apprehension or detention of any person upon the application of a foreign power or, upon such application, for causing any person to be carried from the country to be delivered over to any foreign power in the absence of an express stipulation in a specific treaty between the two states to his being proceeded against in a foreign country for any crime alleged to have been there committed. It need not be taken to mean that a state is not at liberty to request such surrender, because the extradition of criminals or alleged criminals is founded upon the comity of nations.

Furthermore, it must be acknowledged that extradition is not an obligation created by treaty. It is true that it has been regulated and molded in certain countries through the medium of treaties but, properly speaking, it is founded upon the comity of nations (Bedi 2002, 15). The general practice of states confirms the observation that extradition is not looked upon as an absolute international duty, and if a state wishes to ensure that it secures the return of its own criminals it must enter into treaties with other states.

There is no general obligation to extradite in international law but the duty to extradite may arise from bilateral and multilateral extradition treaties which also enshrine exception to this duty. The constitutions of many states, including some European states, prohibit the extradition of their own nationals, but their laws enable them to prosecute their nationals for serious crimes committed abroad. Other states, including United Kingdom, can extradite their own nationals and therefore their laws enable prosecution of their nationals only for a few categories of serious crimes committed abroad (Przeczniak 1983, 138).

States generally lack the capacity or will to prosecute or punish individuals for crimes that have occurred beyond their borders. Consequently, when a suspected or convicted criminal flees from one state to another, some form of inter-state cooperation is required to ensure that the fugitive is returned. The form generally favored on the international stage is extradition, a “procedure of request and consent” which generally reflects the willingness of states to engage in co-operative efforts aimed at the suppression of crime (Brownlie 1998). International law, however, does not oblige a state to afford such assistance and it imposes no legally binding duty on a state to extradite at the mere request of another state. States may, nonetheless, assume a binding obligation to extradite under international law by entering into a treaty, or other consent-based arrangements (Harrington 2012).

The European Convention on Extradition prescribes the obligation to extradite: “the Contracting Parties undertake to surrender to each other, subject to the provisions and conditions laid down in this Convention, all persons against whom the competent authorities of the requesting Party are proceeding for an offence or who are wanted by the said authorities for the carrying out of sentence or detention order” (Article 1 1957).

Obligation to extradite cannot be easily exercised especially if it is about extradition to states not party to the ECHR. Regarding this issue the Committee of Ministers recommends to Member States:

1. not to grant extradition where a request for extradition emanates from a state not party to the European Convention on Human Rights and where there are substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing the person concerned on account of his race, religion, nationality or political opinion, or that his position may be prejudiced for any of these reasons;
2. to comply with any interim measure which the European Convention on Human Rights might indicate under Rule 36 of its Rules of Procedure, as, for instance, a request to stay extradition proceedings pending a decision on the matter (Recommendation No. R (80) 9 concerning extradition to states not party to the European Convention on Human Rights).

The Vienna Convention on the Law of Treaties is silent on this subject, but, however, articles 53 and 64 relating to the issue of *jus cogens* could perhaps offer a possible and acceptable solution. The text of Article 53 is about treaties conflicting with the peremptory norm of general international law (*jus cogens*) as it follows:

A treaty is void if, at the time of its conclusion, it conflicts with a peremptory norm of general international law. For the purposes of the present Convention, a peremptory norm of general international law is a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character”.

Similar meaning has the provision from Article 64 stating that: “If a new peremptory norm of general international law emerges, any existing treaty which is in conflict with that norm becomes void and terminates” (Article 64 1969).

These two provisions from the Vienna Convention on the Law of Treaties can be used only in limited number of cases, especially in the cases where possible violations of human rights may be invoked, but not to all human rights – just those which are considered as inviolable human rights and can be put in the group of so called *jus cogens*.

The international obligation not to extradite a person in some circumstances may conflict with another international obligation and that is to extradite a person pursuant to the applicable extradition treaty. In order to establish the existence of a rule of customary international law there has to be widespread state practice and a belief that such practice is required as a matter of law (*opinio juris*). Although it can be argued that for the ‘core crimes’ of genocide, war crimes and crimes against humanity, there is a obligation to extradite only for grave breaches of the Geneva Conventions and Additional Protocol I (Zgonec-Rozej and Foakes, 2013). For the other core crimes it is questionable whether customary international law imposes such an obligation.

### **WHAT HAPPENS WITH THE EXTRADITION PROCEEDINGS IN THE ABSENCE OF A TREATY?**

The traditional international law gives each state liberty to exercise absolute and exclusive legislative, administrative, and jurisdictional power irrespective of the will of the other states. This territorial supremacy in the absence of any supranational authority makes a state the most powerful organism in international law which invests it with a supreme and overriding authority over all things and persons falling within its territorial limitations. It generally is held that “the principles of international law recognize no right to extradition apart from treaty”. The legal right to demand his extradition and the correlative duty to surrender him to the demanding country exists only when created by treaty. The law of nations does not prohibit a state from surrendering a person accused of crime to another state under the very notion of sovereignty as the reception and expulsion or exclusion of aliens is a fundamental act of sovereignty (Bedi 2002, 19). Only a few countries in the world possess no extradition treaties whatsoever. However, several countries possess only a handful of such treaties, choosing not to practice extradition by treaty with certain countries for any one of several reasons to be discussed below. Evidence for extradition in the

absence of a treaty is found as early as 1880, in a resolution by the Institute of International Law. Furthermore, certain legal scholars recognize an obligation to extradite fugitive criminals regardless of the presence of a treaty. Today, most civil law states add support to this position and recognize final surrender absent a treaty as a valid form of extradition. Common law countries such as the United States and Great Britain show greater reluctance in granting extradition in the absence of a treaty. According to their view, no absolute duty to extradite exists absent a specific treaty obligation (Woods 1993, 46). However there are some exceptions. For example, the Constitution of the Netherlands requires the existence of a treaty before extradition may be conceded. The laws of the Congo, Ethiopia, Israel and Turkey also depend on the existence of treaty arrangements. Although there is no specific prohibition in Norwegian law, in practice a treaty is regarded as indispensable for the surrender of fugitive criminals from Norway to countries outside the Nordic Treaty (Shearer 1971, 30). Extradition in the absence of treaties in the nineteenth century has long been sanctioned by the practice of most civil law countries.

In the absence of an agreement creating the obligation to surrender the fugitive criminals, no such obligation exists under international law. Under international law, the right of a requesting state to demand the surrender of a claimed person accused of a crime, and the correlative duty to surrender such a person, exists only when created by extradition treaty.

Accordingly in the absence of such a treaty, there is no obligation to surrender criminals to another country. Where, however, in the absence of an extradition treaty imposing such right and duty, surrender of a claimed person is made, it is on the principle of comity, founded on the principle that it is not in the interest of the international community that serious crimes of international significance should go unpunished. Under such circumstances the Government of the requested state may exercise its discretion and investigate the charge on which the surrender is demanded (Shearer 1971, 32).

For example United States belongs to the group of states which do not surrender fugitive criminals in the absence of an extradition treaty. Its practice is to decline to request extradition from the requested state with which there is no treaty providing for surrender, although there are isolated cases in which the Government of United States has requested of foreign Governments the surrender of fugitive criminals as an act of comity: in these cases, however, the request has always been accompanied by the statement that under the law of this country reciprocity cannot be granted (Przecznic 1983, 137).

The practice of the civil law countries has demonstrated a greater willingness to grant extradition in the absence of treaties, but in few instances has the view been espoused that extradition in such circumstances was based on anything more than comity and an act of grace. For example in France there was no duty to extradite a person from one state to another, or this duty was not recognized, only that such cases could be regulated in individual circumstances by the respective governments. In 1872 year French Minister of Justice stated that “on the basis of reciprocity” extradition might take place in the absence of a treaty, in which case the rules applicable were within the province of international law. Only in parts of South America, it would seem, has a legal duty to extradite in the absence of treaty been accepted at times (de Than and Shorts 2003).

A request for the arrest and surrender of a fugitive criminal could not be made in the absence of a extradition treaty. But taking into consideration the gravity and seriousness of the crime and its detrimental effect upon a society, a state, in conformity with the public

law of nations or in accordance with the general principles of international law, in the absence of an extradition treaty invoking the principles of comity or morality between the states concerned, can extend an extradition request for the fugitive offender who has crossed its borders for escaping from trial or punishment awaiting him in the forum *delicti commissi*. This is because all states are interested in the preservation of peace, order and tranquility within their domains and in promotion of justice in cooperation with other states (Bedi 2002). Accordingly, the only obligation existing in the absence of a treaty is “imperfect”, creating a moral, but not legal duty to extradite. The only method to create an absolute duty to extradite is through the signing of a treaty. The dominance of this latter view has provided the necessary impetus for the increase in the formation of modern-day mutual extradition treaties. Extradition in the absence of a treaty always hinges on the principles of “courtesy, good will, and mutual convenience.” (Woods 1993, 49). Since the prevailing view fails to recognize an absolute duty or obligation in the absence of formal treaty relations, comity and common courtesy must serve as the sole basis for surrender where no treaty exists.

As a closure to this issue about possible extradition in the absence of a treaty, there are several reasons for choosing to extradite in absence of a treaty. First, some states simply prefer as a matter of principle or convenience to enter into treaties only with those countries that require such agreements before extradition can take place. Second, it seems unnecessary to enter into treaties with countries where extradition is a rarity. Third, states do not want to become a resting place for criminals and will often enact legislation permitting extradition in the absence of a treaty as a combatant to unsuspected entry (Wise 1969, 705).

## CONCLUSION

Criminal offenders often misuse of the lack of extradition treaties with other states to decide which state to flee after committing crimes. The very nature of crime has been evolving, and the failure to bring fugitives to justice represents an acute problem to the party which has been wronged. However, there is no general rule of international law that requires a state to surrender fugitive offenders. The increase in the mobility of suspects has resulted in the increased willingness of states to use this form of mutual legal assistance to enforce their domestic criminal law. As it was elaborated before, the principle of non-extradition of citizens is a right of a state to refuse extradition of own nationals, but also this issue leaves a space for a very dangerous opportunity where fugitives are using this principle and also the fact that some states are not willing to grant extradition in absence of a treaty.

## REFERENCES

1. Amendment towards the Constitution of the Republic of Macedonia, April 12 2011;
2. Aust, Anthony. 2005. *"Handbook of international law"*. Cambridge University Press;
3. Bantecas, Ilias and Nash, Susan. 2007. *"International criminal law"*. Routledge-Cavendish Publishers;
4. Bassiouni, Cherif. 2008. *"International Criminal law"*. Koninklijke Brill NV, Leiden;
5. Bedi, Satyadeva. 2002. *"Extradition: a treatise on the laws relevant to the fugitive offenders within and with the Commonwealth countries"*. William S.Hein & Co, Inc;
6. Blakesley, Christopher L. 1981. *"The Practice of Extradition from Antiquity to Modern France and the United States: A Brief History"*. Boston College International and Comparative Law Review, Volume 4, Issue 1;
7. Boister, Neil. 2012. *"An introduction to Transnational Criminal Law"*. Oxford University Press;
8. Bradley, A.W and Ewing, K.D. 2007. *"Constitutional and Administrative law"*. Pearson Education;
9. Brownlie, Ian. 1998. *"Principles of Public International Law"*. Oxford University Press;
10. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia no.52/1991
11. Constitution of the Italian Republic. Official Gazette Dec. 27, 1947, no. 298
12. Convention relating to Extradition between Member States of the European Union. 27 September 1996;
13. De Than Claire and Shorts, Edwin. 2003. *"International Criminal Law and Human Rights"*. Sweet & Maxwell;
14. Elezi.Lirie;Marija.Gjorgeva; Ristoska.Lence. 2010. *"Non-extradition of nationals- Sovereignty versus justice"* – Academy for training of judges and public prosecutors of the Republic of Macedonia;
15. European Convention on Extradition, ETS No.024, Paris 13 December 1957, available at [www.coe.int](http://www.coe.int)
16. Federal Constitution of the Swiss Confederation, April 18 1999, available at: [www.admin.ch](http://www.admin.ch)
17. Gilbert, Geoff. 1998. *"Transnational Fugitive offenders in international law"*. Kluwer Law International;
18. Harrington, Joana. 2012. *"Human Rights Exceptions to extradition – Moving beyond Risks of Torture and Ill-treatment"*. University of Western Ontario;
19. Kapferer, Sybille. 2003. *"Legal and Protection Policy: The interface between Extradition and Asylum"*. United Nations High Commissioner for Refugees;

20. Przecznicz, Franciszek. 1983. *“Protection of officials of foreign states according to international law”*. Martinus Nijhoff Publishers;
21. Recommendation No. R (80) 9 of the Committee of Ministers to Member States, June 27 1980, available at: [www.wcd.coe.int](http://www.wcd.coe.int)
22. Shearer, Ivan Anthony. 1971. *“Extradition in international law”*. University of Manchester at the University Press;
23. Vienna Convention on the Law of Treaties, Vienna. 23 May 1969, available at: <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>
24. Wise, Edward. 1969. *“Some Problems of Extradition”*. Wayne Law Review;
25. Woods Jr, Robert Herbert. 1993. *“Extradition: Evaluating the development, uses and overall effectiveness of the system”*. Regent University Law Review, Volume 2;
26. Zgonec-Rozej, Misa and Foakes, Joanne. 2013. *“International Criminals: Extradite or Prosecute”*. International Law, Chatham House, IL BP 2013/01;
27. [www.justice.gov.mk](http://www.justice.gov.mk)





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Date of acceptance: March 25, 2016

Date of publication: June 15, 2016

Review article

UDC 325.25(495:=18)"1990-"

## ALBANIAN IMMIGRANTS IN GREECE: FROM UNWANTED TO TOLERATED?

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### Abstract

*The main objective of this article is to present the way attitudes towards Albanian people and the perception of them has changed in Greece. The Albanians came to Greece following the collapse of the Communist bloc at the beginning of the 1990s. Within time it transpired that it was a mass immigration of approximately 500,000 people. Greece was not prepared for such an enormous influx of foreigners and failed to initiate an effective migration policy. The initial reactions of the Greek politicians, media, and society were negative. Social feelings, however, began to turn in the first decade of the XX century. Albanians ceased to be stigmatised as a threat and started to be perceived in a positive way through the prism of the demands of the Greek economy. The economic and migration crisis, however, lead to the reappearance of a xenophobic mood among the Greeks.*

*Key words: Greece; Albania; immigration; migration policy; assimilation*

### INTRODUCTION

The Greek-Albanian relations following the end of World War II were dreadful. Both countries belonged to opposite political blocks separated by the iron curtain. There were no established diplomatic relations between Greece and Albania until 1971, and the atmosphere between the neighboring countries remained distrustful even when the embassies in Athens and Tirana were opened. At the turn of 1987/1988 the ice was finally broken when mutual relations gathered pace and visits at the highest level took place - the Prime Ministers of both countries, Andreas Papandreu and Adil Çarçani, finally met (Czekalski and Hauziński 2009, 265-66). One has to remember that these relations were not warm or amicable due to the ongoing division of Europe into two blocks and the negative historical experience. The new chapter in bilateral relations between the neighbors only began after the collapse of the Eastern Bloc and the demise of communism in Albania at the beginning of the 1990s.

The division of Europe into two blocks also had an impact on the movement of people between Greece and Albania, or rather the lack of it. During the post-war period Albania remained internationally isolated, its citizens had no passports, and the borders, both with Greece and Yugoslavia, were heavily guarded from the inside by armed forces

and a network of bunkers. With the fall of the Communist bloc a completely new situation was created. The collapse of the centrally planned economy and the closure of state-owned enterprises contributed to a huge increase in unemployment in Albania. From the outset the Albanians attempted to reach the embassies of the western countries to attain documents indispensable to leave the country. They mostly applied for political asylum. These diplomatic posts, however, were unable to deal with such a great number of applicants and, what is more, the communist regime had fallen in Albania and the Albanians' motives were strictly economic and not political. But the Albanians did not forgo the idea and between 1991 and 1992 there was a mass attempt to leave the country to reach Western Europe in a search for well-paid jobs and a better existence. It is estimated that by the end of 1991 approximately 200,000 Albanians had left the country (Parliamentary Assembly 1992). The Albanians from the Balkan countries (the former Yugoslavia) mostly tried to reach Germany and Switzerland; however Albanian citizens aimed mainly for Greece and Italy (Hajdinjak 2005, 1-2). Western European countries, which were the most appealing (such as Federal Republic of Germany - FRG), were more difficult to reach due to their restrictive migration policy and well-protected borders (Rovolis, Tragaki 2006, 100). It comes as no surprise that the Albanian citizens chose Greece and Italy due to their proximity to Albania. Unlike Italy – which only has a maritime border to Albania – Greece was an easier goal to reach because of the land border. That mass exodus of Albanian people was certainly illegal. The 280 kilometers long borderline between Albania and Greece was no longer well-guarded by the Albanian army, and the Greek border guards were totally unprepared for the waves of thousands of Albanians attempting to reach Greece through the so called “green border” which constituted of wild paths in the mountain ranges stretching between Albania and Greece.

Some Albanian immigrants applied for asylum, however, a great majority attempted to remain in Greece illegally without officially legalising their stay. It is estimated that between 1991 and 1996 approximately 600,000 illegal immigrants came to Greece, around 35% of whom were Albanians (Triandafyllidou and Veikou 2002, 190).

## **GREECE'S REACTION TOWARDS ALBANIAN IMMIGRANTS**

### ***Migration policy***

The influx of a great number of immigrants left the Greek government totally surprised and unprepared. For a number of decades following the end of the civil war in 1949 Greece was a country that experienced an outflow of people and had never experienced the problem of immigration on such a scale. Hence, since 1929 Greece still had a law in force regulating the settlement and movement of foreigners which was related to the migration of people between Greece and Turkey following a war between those countries. In 1991 the governing party, New Democracy, introduced a new migration law that was much stricter with illegal immigrants and whose main goal was to curb and hinder the influx of foreigners to Greece. Special police forces were established to seal state borders as well as to perform checks inside the country in order to arrest foreigners without valid documents (Swarts and Karakatsanis 2013, 99). Obtaining a residency permit was directly related to a work or an education permit. Immigrants were forced to present a confirmation from a potential employer or school/college. Work permits were issued for a

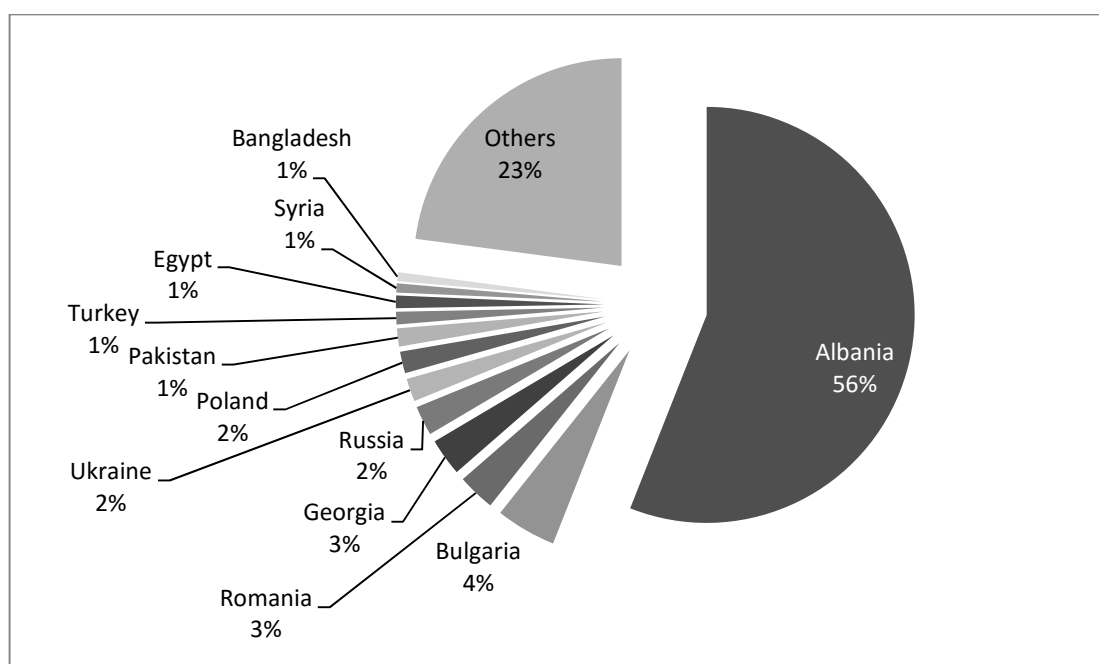
period of one year only with a possibility to prolong them four times (Kokkali 2011, 165). An employer was obliged to attain a permit from a local government to employ a foreigner. Due to the fact that obtaining all indispensable documents was a strenuous and time-consuming task, a great deal of them decided to remain and work in Greece illegally. Common practices of the police were deportation and fines imposed on employers employing illegal immigrants. The strict migration policy transpired to be effective to the point that between 1993 and 1996 the influx of immigrants diminished.

The Greek government did not treat all immigrants in the same restrictive way. Among the inflow of immigrants to Greece at the beginning of the 1990s there were two groups that were privileged and treated in a special way. The first group were refugees (that being their official status) from the former USSR who had Greek ethnic origin, the so-called *Pontic Repatriates*. They were granted Greek citizenship and the process of their integration within the Greek society was largely supported. The second group that was privileged was Albanian Greeks residing in Northern Epirus (gr. Βόρειος Ήπειρος, *Vorios Ipiros*). They were neither treated as Greek citizens immediately nor were they granted Greek citizenship but their Greek nationality was recognized. Triandafyllidou and Veikou wrote that "they are perceived as refugees who suffered persecution and discrimination because of their Greek nationality and Christian Orthodox religion" (Triandafyllidou and Veikou 2002, 199). Members of that group were granted a Temporary Residence Permit as well as social assistance. It is estimated that in the 1990s roughly 150,000 Pontic Repatriates came to Greece, and in addition to that number were 185,000 Albanian Greeks. The subsequent migration law was introduced in 1998 by PASOK - a social-democratic government - and it coincided with two events. Firstly, the Greek government signed an understanding with the government in Tirana which allowed Albanian citizens to take up seasonal work in Greece under certain conditions (Hatziprokopiou 2003, 1036). Secondly, a financial crisis that happened in Albania in relation to the so-called financial pyramids forced Albanians to search for employment abroad, mainly Greece. New regulations were introduced with the aim of legalizing the stay of illegal foreigners in Greece. Above all else, a so-called White Card was introduced which allowed for a six month stay during which a foreigner was to obtain legal employment. For those that were already granted a White Card there was an opportunity to obtain a Green Card - which was a residence permit for a period of one to three years, which at the same time constituted a work permit. For a person who could prove their residence in Greece in the previous 5 years there was a possibility to apply for a Green Card which would last for a period of 5 years. Such documentation also protected the holder's family from expulsion (Triandafyllidou and Veikou 2002, 197). A special Identity Card for Ethnic Greeks was introduced to protect immigrants of Greek origin, mainly Albanian Greeks. More than 376,000 people benefited from the new migration law, 240,000 of whom were Albanians (Hatziprokopiou 2003, 1036).

An amendment to the migration law was introduced by the subsequent PASOK government in 2001. The amendment was to straighten out the illegal immigration issue. The scope of migration policy was received from the Ministry of Public Order and Citizen Protection and forwarded to the Ministry of Internal Affairs. This attempt was chiefly to decentralize the residence permit application process by creating regional immigration offices. Work permits, which constituted the precondition for Temporary Residence Permit, were to be issued in accordance with the demand of the Greek economy. They also allowed

the children of illegal immigrants to attend primary schools (International Organization for Migration 2006, 71). Naturally, this was done with a view of further integration.

In 2001 a census was conducted which showed that there were 762,000 foreigners in Greece, the majority of whom, as many as 56%, were Albanians. (Migration Policy Institute 2004, 5-7).



**Chart 1: Foreigners in Greece by the country of origin in 2001 (in %)** (Source: *Statistical Data on Immigrants in Greece: an Analytic Study of Available Data and Recommendations for Conformity with European Union Standards*, Migration Policy Institute. 2004. [http://www.mmo.gr/pdf/general/IMEPO\\_Final\\_Report\\_English.pdf](http://www.mmo.gr/pdf/general/IMEPO_Final_Report_English.pdf))

Undertaken reforms regulated the status of illegal immigrants only partially because the process was still too bureaucratic and time-consuming. The Greek government also attempted to streamline the deportation process of the Albanians from the country and therefore, as a result of previous negotiations with the Albanian government, a readmission agreement was introduced in 2001 (International Organization for Migration 2006, 11).

Between 2002 and 2004 the Greek government focused its efforts on creating a programme that would enable a wider integration of immigrants into Greek society but the results, however, were poor. In 2005, New Democracy implemented new regulations that were to make the process of regulating residency in Greece less bureaucratic. The residence permit and work permit were merged into one document. Following the requirements imposed by the EU, a regulation to grant residence permits for family reunion was enhanced (Swarts and Karakatsanis 2013, 102). But the fact was that the undertaken steps actually brought small changes to the immigrant issue. As Anna Trandafyllidou claims, the foreigner's integration programme within the Greek society practically did not exist until

2010 (Triandafyllidou 2012, 14). However, for the Albanians residing in Greece for a long time (a few years) any change that enabled them to obtain Greek citizenship was of vital importance. In 2006 the process of foreigner naturalization was liberalized although it was still a long, costly and difficult process. The changes, however, enabled Albanians of Greek origin (so called *Voreiopirotos*) - who until then had been refused citizenship despite their Greek ethnicity - to obtain citizenship. The liberalization of the laws helped over 45,000 people, mainly Albanians of Greek origin, to obtain citizenship in the subsequent 3 years (since 2009) (Triandafyllidou 2012, 15).

Subsequent changes that were introduced in 2010 by the PASOK government liberalized naturalization even further. In Greece, the fundamental law to obtain citizenship is still the right of blood (*jus sanguinis*), which means that the naturalization process applies mostly to people who can prove their Greek origins. Previous regulations required 10 years of legal residency in the country, a 900 Euro application fee, participation in preparatory courses for a Greek language exam that had to be passed, and general knowledge about the Hellenic Republic as well. The new regulations that were introduced in 2010 stabilized the naturalization process of foreigners without Greek origins. The requirement of 7 years of legal stay in Greece was introduced provided that foreigners applying for naturalization had to obtain long-term residence permits first, which could be obtained following five years of legal residency in Greece. Applicants for naturalization then had to pay the application fee (600 Euros), participate in preparatory language courses regarding a mandatory Greek language exam and a general knowledge exam concerning the Greek history and culture. Children of immigrants born in Greece whose parents had a documented history of five years of legal residency could also apply for a Greek passport. Children of foreigners born outside of Greece but who attended school for six years also had the right of naturalization. It turned out, however, that the law introduced in 2010 under the PASOK government was deemed unconstitutional and was annulled (Triandafyllidou 2014, 25).

In 2011 another census was conducted. It transpired that there were approximately 912,000 foreigners in Greece, 713,000 of which were citizens from outside the EU. Albanians constituted the biggest group - roughly 480,000 (Triandafyllidou 2013, 7). Taking into consideration the current population in Greece (11 million) and the fact that the census failed to account for the number of illegal foreigners, it was estimated that Albanians constituted 5% of the citizens in Greece.

In 2014 another migration law was introduced. The new regulations were driven by an attempt to solve migration problems resulting from the economic crisis in Greece and the subsequent waves of refugees from Arabic states penetrating Greece from Turkey. As a result of the growing unemployment during the crisis a great number of foreigners lost their jobs and in turn lost their legal immigrant status and inevitably were pushed outside the social margin, which consequently generated the growth of illegal immigrants in Greece. One has to remember that the requirement for obtaining or prolonging a residence permit for immigrants and their families in Greece was proof of continuity of employment as well as social security, which had to be done every year. The new regulations were to assist those who had lost their jobs and legal resident status. One of the vital amendments included in the new regulations was the possibility to legalize residency for people who entered Greece legally within 3 years from the introduction of the regulations but in the meantime lost legal resident status. The same applied to people who could prove that they

had resided in Greece for the last ten years but lost their legal status. In both cases, the authorities issuing residence permits would take into account the affiliation of those people with Greece, their knowledge of the language and culture, family ties etc. (Triandafyllidou 2014).

At the same time subsequent governments attempted to seal the country's borders in fear of a huge influx of illegal immigrants. A spectacular example of such action under the New Democracy government in 2012-2013 was Operation Xenios Zeus which saw identity verification of suspected people in the whole country, but mainly in the immigration centres, including Athens (Crepeau 2013, 4-5). As a result of the Operation thousands of people were deported from Greece, including 10,000 Albanians in 2012 and over 6,000 in 2013 (Hellenic Police). The authorities in Tirana accepted Greek motions for readmission of Albanians arrested for illegal border crossing or illegal stays in Greece without any problems. This was largely down to the readmission agreement from 2003 signed between those countries and their mutual cooperation in that matter.

With Greece facing a large number of refugees at its borders in 2015, which the EU labeled the refugee and migrant crisis, the Albanian matter was pushed into the background. Currently, the main problems for Greek politicians are illegal immigrants and refugees coming through Turkey from the Middle East.

### *The evolution of the Greek society's attitude towards Albanian immigrants*

At the end of the 1980s Greek society was homogeneous and consisted of over 98% of Greeks who belonged to the Greek Autocephalous Orthodox Church (Kolovos 2013, 7). It is a fact, however, that in the northern and north-eastern parts of Greece reside people of different nationalities e.g. Slavic Macedonians, Pomaks or Turks but they constitute an insignificant social group without any national minority status. Besides, the Greek government considers Pomaks and Turks as Greek-Muslims. What is more important, the "others" underwent gradual Hellenization mainly due to compulsory schooling in Greece. Greeks base their "Greekness" on common origins, tradition, culture, language and religion (Triandafyllidou and Veikou 2002, 194). Greek tradition refers to Byzantine and Orthodox heritage indicating its links to the East along with the Greek Diaspora residing in the eastern part of the Mediterranean Sea and in the vicinity of the Black Sea hence the general support and acceptance for immigrants who came to Greece at the beginning of the 1990s from the former Soviet Union and mainly from the Black Sea region. Even though the knowledge of the Greek language among immigrants was almost non-existent, those who could prove their Greek origin were treated as "locals" and were almost instantaneously granted refugee status, social benefits and, ultimately, citizenship.

The Greek Orthodox Church played a vital role in building a positive attitude of the Greek society towards Pontic Greeks. During the entire modern history of Greece it was the Church that protected "Greekness" and Greece from others (Faas 2011, 164). It was also the Church that publicly condemned the Albanian government in communist times for the discrimination and oppression of a Greek minority residing in Northern Epirus, that is, residents of southern Albania of Orthodox religion hence the negative attitude of the Church towards Albanians associated with Islam (even though Albania under Enver Hoxha's leadership was officially an atheist country). Research conducted in Greece in 1993 revealed the negative attitude of Greeks towards Albanians and showed that Albanians were stipulated as the most hated nation groups after the Turks (Hajdinjak 2005,

7). Naturally, analyzing Greek society's attitude towards Albanian immigrants one has to take into account the fact that a peaceful and homogeneous society had to face the great challenge of the influx of thousands of immigrants within a short period of time. The greatest influx of immigrants took place in 1991 and 1997 (financial pyramids) when Albania suffered from a political and economic crisis. The media also took part in building the negative attitude of Greeks towards Albanians by depicting them as criminals, traditional enemies and invaders of Greece (Gogonas 2009, 98). What is more, the two biggest political parties - PASOK and New Democracy presented programmes of a tough policy towards immigrants in an attempt to gain political capital (Swart and Karakatsanis 2013, 99). It is obvious, that negative opinion towards Albanians had its grounding. As a result of the influx of hundreds of immigrants in the 1990s the crime rate rose significantly in Greece. Police would relay stories about attempted drug trafficking, house, shop and bank robberies, car and bus hijackings, and even armed robberies. In smaller towns Greeks formed self-proclaimed troops of "civic police" whose intention was to protect their private property and safety (Fakiolas 1999, 221). A peculiar panic in fear of an Albanian Mafia broke out within the Greek society which had been heavily incited by the media and politicians. We have to highlight that the criticism did not apply to Albanian immigrants of Greek origin who were treated in a positive way, and who were issued visas and granted work permits (Gogonas 2009, 98).

Ironically the negative social mood coincided with the process of economic inclusion of Albanian immigrants. They were employed by Greeks, legally or not, for work that Greeks would not do themselves (Fakiolas 1999, 221). They were employed to do the hard, dangerous, "dirty" work in agriculture, construction, fishing, tourist services such as hospitality or the catering industry, and the women were mostly employed to do the housework or look after children or elderly persons (Kokkali 2010, 10).

At the end of the 1990s, the opinion regarding immigrants, mostly Albanians, mellowed. The positive results of their presence in the Greek economy began to be noticed. Politicians started to praise the role of foreigners in the construction and agricultural industries as well as the inflow of social contributions paid to the budget. The fact that the government in Athens attempted to tighten the relations with neighboring countries, including Albania, resulted in the change of rhetoric towards Albanian immigrants. In addition, the then upcoming Olympic Games in Athens in 2004 motivated the Greek government to improve Greece's image abroad by presenting its society as hospitable, tolerant, and open to foreigners. It was a typical rhetoric of the PASOK left-wing party lead by Costas Simitis until 2004. They also forewent to emphasize threats that immigrants posed to Greek citizens.

Following 2014, with the end of the Olympic Games and when the right-wing New Democratic Party lead by Kostas Karamanlis took power, the social mood began to change. The economic situation began to deteriorate, the number of immigrants was gradually rising, and the accusations towards inflowing foreigners being "at fault" for the worsening financial results of the country became one of the campaign slogans of New Democracy. The negative attitude towards the new foreigners was perceived in the speeches of politicians, journalists, and clergyman and it became even more established with the growing economic recession. The outbreak of the financial crisis in 2009 became the climax of the negative attitude towards foreigners. The social mood intensified again instead of - a search for those to blame for the catastrophic situation of Greece began.

The foreigners were accused of all evils. Xenophobic feelings reappeared among Greeks. The most popular slogan repeated by the opponents of immigrants was their accusation of economic invasion which caused the labor market crash - foreigners were being blamed for the high unemployment. A lot of people lost their legal residence status as a result of becoming unemployed due to the economic crisis and great number of Albanians decided to return to Albania in order to find employment and wait the crisis out in their own country with hopes of returning to Greece. It is estimated that between 2009 and 2013 approximately 110,000 Albanians returned to Albania from Greece (Kalmouki 2014). But a considerable number of Albanians remained in Greece because of their families who they had brought over to Greece and their children who attended Greek schools. What is significant, however, is the fact the perception of Albanians by Greeks began to change. Albanians earned the reputation of being a hard-working and willing-to-assimilate people unlike Asians or Africans (Papastergiou and Takou 2014, 41). Politicians still criticized the new waves of immigration but expressed positive opinions towards foreigners in Greece with legal statuses (Swarts and Karakatsanis 2013, 104).

#### *A change in the perception of Albanian immigrants in relation to the immigration crisis in Greece*

The refugee crisis that resulted from the Arab Spring developed alongside the economic crisis in Greece. The second half of 2015 saw the climax of the refugee crisis. It is estimated that 540,000 foreigners reached Greece (according to the International Organization for Migration). The problems related to the influx of mass immigration from Africa and Asia had begun much earlier. The majority of them wanted to arrive in much richer states such as Germany or the Scandinavian countries, which provide better social benefits than Greece that was overcome by the crisis. Nevertheless, a great number of illegal immigrants are still in Greece. They are mainly Syrians, Afghans, Pakistanis, Bengalis, and Somalis instead of - nationalities whose culture and religion significantly differ from the Greek tradition. The rapid influx of African and Asian foreigners changed the way Albanians were perceived in Greece. One may say that their image improved considerably by the principle of comparison. Their assimilation in Greece began to be valued. Above all else, Albanians constitute a group that, despite its large number, ceased to be perceived negatively. Their behavior breaches no norms or values that are generally accepted by the Greek nation. What is more, Albanians attempt to blend in with the Greek society, which is extremely hermetic, by adopting Greek names and learning the Greek language (Drydakakis 2011). It can be noticed that the assimilation resulted not from an efficient policy of the Greek government but the will of the Albanian immigrants themselves. A number of Albanians also decided to convert to the Christian orthodox religion which may be deemed as an attempt at artificial conversion for the benefit of social acceptance and thereby better work and pay. It does not change the fact that these attempts do take place. A number of Albanian children are also baptized in Greek orthodox churches. Albanian children willingly attend Greek schools, learn the Greek language and perform competitively alongside Greek students (Gogonas, 103-107). There are no signs of any infrastructure that would highlight Albanian cultural differences in Greece, such as coffee houses or shops (Kokkali 2012, 170). Greeks began to value hard-working and flexible Albanians, which resulted (before the economic crisis) in the rise of remuneration. What is also of significant importance is the fact that Albanians came to Greece as entire



family groups and because the children were involved it gave the impression that it was a safe migration that did not pose any threat or aggression. Their migration contrasts with Asian and African migrants whose groups consisted mostly of young men who began to gather in the city centers (Athens and Thessaloniki), which worried and concerned Greeks.

## **CONCLUSION**

Without doubt the perception of Albanian immigrants by the Greeks has changed for the better in recent years. Admittedly, the economic crisis and the recent immigration crisis enhanced Greeks' distrust towards foreigners and amplified xenophobic moods, but the negative emotions are mostly directed at Asian and African immigrants. It does not mean, however, that the Greek society has fully accepted Albanian immigrants. The fear of Albanian nationalism and the slogans regarding the creation of the Great Albania (Albanian claims to Southern Epirus) are still present among some Greeks (Kolovos 2013, 14-17). Unfortunately, Albanians are also associated with Islam and Islamic fundamentalism. The above-mentioned slogans appear in the rhetoric of some Greek political parties and xenophobic slogans find fertile ground in times of worsening conditions of the Greek economy. Hence the support (approximately 5-8% of Greek society) for extreme parties such as Golden Dawn. We have to highlight that Greeks are an ageing society. According to the research conducted by *Help Age*, a third of the Greek society will be over 60 years of age in 2060. People in their sixties will constitute over 40% of the Greek population in 2050, which will result in major problems with regards to the social security system (Salourou 2015). One solution would be adopting young, foreign people of working, productive age to the Greek society. And such are Albanian people. Without doubt a country without a great amount of immigration experience fears strangers. The problem, however, may be solved by implementing an efficient assimilation policy, which Greece has failed to do as yet.

## REFERENCES

1. Czekalski, Tadeusz and Hauziński, Jerzy and Leśny, Jan. 2009. *Historia Albanii*. Wrocław: Ossolineum.
2. Hajdinjak, Marko. 2005. *Don't Want to Live With Them, Can't Afford to Live Without Them: Albanian Labor Migration in Greece*, Paper presented at the international conference Migrations, integration security and quality of life in Mediterranean cities, September 30th – October 1st, 2005, University of Lugano, Switzerland. <http://pasos.org/wp-content/archive/Albanians+in+Greece.pdf> [accessed 15.01.2016]
3. Crepeau, Francois. 2013. *Report of the Special Rapporteur on the rights of migrants. Mission to Greece*, United Nations General Assembly, A/HRC/23/46/Add.4, 17 April 2013.
4. Drydakis, Nick. 2011. "Ethnic Identity and Immigrants' Wages in Greece." *Discussion Paper*, The Institute for the Study of Labor, no. 6078.
5. Faas, Daniel. 2011. "Between ethnocentrism and Europeanism? An exploration of the effects of migration and European integration on curricula and policies in Greece." *Ethnicities* 11(2): 163-183.
6. Gogonas, Nikos. 2009. "Language shift in second generation Albanian immigrants in Greece." *Journal of Multilingual and Multicultural Development* 30(2): 95-110.
7. Fakiolas, Rossetos. 1999. "Socio-Economic Effects of Immigration in Greece." *Journal of European Social Policy* Vol 9 (3): 211-229.
8. Hatziprokopiou, Panos. 2003. "Albanian immigrants in Thessaloniki, Greece: processes of economic and social incorporation." *Journal of Ethnic and Migration Studies* Vol. 29(6): 1033-1057.
9. Hellenic Police, [http://www.astynomia.gr/index.php?option=ozo\\_content&perform=view&id=24727&Itemid=73&lang=EN](http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=24727&Itemid=73&lang=EN) [accessed 15.01.2016]
10. International Organization for Migration. 2006. *Return and Readmission to Albania. The Experience of Selected EU Member States*, August 2006, Tirana
11. International Organization for Migration, *Greece Records Highest Weekly Migration Inflows in 2015 So Far*,
12. <https://www.iom.int/news/greece-records-highest-weekly-migration-inflows-2015-so-far> [accessed 19.01.2016]
13. Kalmouki, Nikoletta. 2014. Albanian Immigrants Leave Greece, GreekReporter.com, October, <http://greece.greekreporter.com/2014/10/08/albanian-immigrants-leave-greece>
14. Kokkali, Ifigenia. 2010. *Spatial Proximity and Social Distance: Albanian Migrants' Invisible Exclusions. Evidence from Greece*, Paper prepared for presentation at the World Bank International Conference on Poverty and Social Inclusion in the Western Balkans, Brussels.
15. Kokkali, Ifigenia. 2011. "From scapegoats to 'good' immigrants?." *Quaderni del Corcolo Rosselli* 3: 161-173.
16. Kolovos, Ioannis. 2013. "Illegal Immigration. A Multifaceted National Security Threat: The Case of Greece." *RIEAS Research Paper* No. 162: 1-20.
17. Migration Policy Institute. 2004. *Statistical Data on Immigrants in Greece: An Analytic Study of Available Data and Recommendations for Conformity with*

- European Union Standards*, A study conducted for IMEΠO [Migration Policy Institute], Greece by Mediterranean Migration Observatory UEHR, Panteion University. [http://www.mmo.gr/pdf/general/IMEPO\\_Final\\_Report\\_English.pdf](http://www.mmo.gr/pdf/general/IMEPO_Final_Report_English.pdf) [accessed 3.12.2015]
18. Papastergiou, Vassilis and Takou, Elenia. 2014. *Migration in Greece. Eleven Myths and Even More Truths*, Rosa Luxemburg Stiftung Office in Greece, Athens
  19. Parliamentary Assembly of the Council of Europe. 1992. *Report on the exodus of Albanian nationals*, 27 January 1992, Doc. 6555, <http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=6888&lang=EN>, (Accessed 16.01.2016)
  20. Rovolis, Antonis and Tragaki, Alexandra. 2006. "Ethnic Characteristics and Geographical Distribution of Immigrants in Greece." *European Urban and Regional Studies* 13(2): 99-111.
  21. Salourou, Roula. 2015. *Greece's demographic time bomb is about to go off*, <http://www.ekathimerini.com/202171/article/ekathimerini/business/greeces-demographic-time-bomb-is-about-to-go-off> (Accessed 16.01.2016)
  22. Swarts, Jonathan and Karakatsanis, Neovi M. 2013. "Challenges Desecuritizing Migration in Greece." *Journal of Balkan and Near Eastern Studies*, 15(1): 97-120.
  23. Triandafyllidou, Anna. 2012. *Greece: How a State in Crisis Manages its Migration Crisis?*, Centre for Migrants and Citizenship, Paris-Brussels
  24. Triandafyllidou, Anna and Veikou, Mariangela. 2002. "The Hierarchy of Greekness." *Ethnicities* Vol. 2(2): 189-208
  25. Triandafyllidou, Anna. 2013. *Migration in Greece, Developments in 2013*, Report prepared for the OECD Network of International Migration Experts, Hellenic Foundation for European & Foreign Policy, [http://www.eliamep.gr/wp-content/uploads/2014/10/Migration-in-Greece-Recent-Developments-2013\\_2.pdf](http://www.eliamep.gr/wp-content/uploads/2014/10/Migration-in-Greece-Recent-Developments-2013_2.pdf), (Accessed 15.01.2016)
  26. Triandafyllidou, Anna. 2014. *Migration in Greece, Recent Developments in 2014*, Hellenic Foundation for European & Foreign Policy, [http://www.eliamep.gr/wp-content/uploads/2014/10/Migration-in-Greece-Recent-Developments-2014\\_2.pdf](http://www.eliamep.gr/wp-content/uploads/2014/10/Migration-in-Greece-Recent-Developments-2014_2.pdf), (Accessed 15.01.2016)



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Date of acceptance: May 09, 2016

Date of publication: June 15, 2016

Review article

UDC 355.45:[329.12:321.7(100)]

## LIBERTY, SECURITY AND THE DEGENERATIVE CYCLE OF DEMOCRACY

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### Abstract

*Unfortunately, modern liberals have long misrepresented and misused the foundational principles of liberalism, in order to claim that the fundamental function of every democratic state is the pursuit of its citizens' liberty, as well as to viciously attack all states and leaders that do not consider liberty to be sacrosanct. Via an appeal to the essential works of liberalism and realism, this paper has thoroughly contradicted the claims of modern liberalism and has definitively argued that security, not liberty, is the fundamental purpose of every state. Furthermore, this paper has comprehensively analyzed the USA, in order to demonstrate that, if a state sacrifices the liberty of its citizenry in order to maintain its national security, then the state's actions are not merely just and ethical vis-à-vis its citizenry, but, rather, fulfill the state's fundamental, protective, function and are, in fact, an inevitable, benevolent, aspect of the state's existence.*

*Key words: Liberty; Locke; Machiavelli; Montesquieu; Security; Tocqueville; USA*

### INTRODUCTION

After the Cold War expired in 1991 (Brown 2011), the international political system endured a profound transformation. Liberalism usurped realism as the dominant political ideology within the international political system and began to rapidly permeate throughout various international political structures and actors. As a consequence of the deep ideological transformation that occurred within the international political system post-Cold War, innumerable modern political actors and theorists currently embrace a decidedly liberal political philosophy and argue that the fundamental function of every democratic state is the preservation of its citizens' freedoms and liberty, whereas, prior to the conclusion of the Cold War, national security was consistently considered to be the foremost concern of every democratic state (Jervis 2001, 36-60).

Furthermore, contemporary political pundits overwhelmingly contend that, since the fundamental function of every democratic state is the preservation of its citizens' liberty, if a democratic state sacrifices the liberty of its citizenry in order to preserve national security, then the state violates its citizenry abhorrently, as well as fundamentally destabilizes the rudiments of its own society (Dunne 2008, 116).

However, despite the fact that modern liberals so vehemently assert the paramount importance of liberty within democratic states, their assertions are impressively incorrect. Rather, when the hallowed texts that constitute the foundation of liberal political theory are consulted, such as Alexis de Tocqueville's *Democracy in America*, the Baron de Montesquieu's *The Spirit of the Laws*, and John Locke's *Two Treatises on Government*, these foundational liberal documents resoundingly confirm that security, not liberty, is the fundamental concern of every democratic state.

Moreover, the essential, constituent, works of realism, in addition to the foundational works of liberalism, such as *Discourses on Livy* and *Considerations on the Causes of the Greatness of the Romans and Their Decline* for example, comprehensively confirm that liberty and security oscillate according to a predictable and inevitable cycle within every democratic state, and that, due to this oscillation, democratic states consistently reject national security in favor of liberality, which results in their ineludible collapse and implosion, if they are not summarily reoriented towards security.

Furthermore, if modern democratic states are analyzed, their unfortunate experiences unequivocally demonstrate that liberty and security vacillate according to the aforementioned cycle within every modern democratic state, and that, consequently, modern democratic states consistently reject their own national security in order to obsessively pursue liberality, which culminates in their inevitable decline and collapse, if they are not hastily reoriented towards security.

Therefore, it is eminently apparent that, if a democratic state sacrifices the liberty of its citizenry in order to maintain or improve its national security, then the state's actions are not merely just and ethical vis-à-vis its citizenry, but, rather, the state's actions fulfill the state's fundamental, protective, function and are, in fact, an inevitable aspect of the state's existence. More importantly, it is clear that, although liberalism and its foundational principles have been stubbornly misrepresented and misused by modern liberals, in order to viciously attack all states and leaders that do not consider personal liberty to be sacrosanct, modern liberals are foolish and emphatically incorrect to argue that the fundamental function of every democratic state is the preservation of its citizens' liberty, as well as to criticize states and leaders that sacrifice the liberty of their citizenry in order to preserve national security.

## THE SUPREMACY OF SECURITY

Since its earliest articulation, liberal political ideology has acknowledged and embraced the paramount importance of security. In fact, although it is realism that is typically associated with a dogged pursuit of national security, liberal political ideology is identically committed to the pursuit of security and considers national security to be an imperative aspect of a healthy, successful state.

From the moment that it was conceived, liberalism's venerable patriarchs, such as Alexis de Tocqueville, John Locke, and the Baron de Montesquieu, recognized that, without security, it is impossible to maintain a state and to preserve the fundamental human rights that are an essential aspect of the human condition and, therefore, inalienable from every person. According to liberalism's august forebears, if a state is unable to maintain its national security, then the rights of the state's citizenry, as well as the state and its political structures, are inevitably and easily violated, since, without security, the state and its

citizenry are inevitably subject to the same anarchy, violence, and volatility that characterizes the state of nature,<sup>1</sup> and, under these conditions, human rights necessarily cease to exist, because the passions of the powerful determine the rudiments of humanity. Consequently, liberalism's ineffable progenitors confirm that, if a state cannot maintain its national security, then the state inevitably implodes and its citizens are left bereft of their natural rights.

Firstly, Alexis de Tocqueville, liberty's perennial champion, argues that every state exists specifically to protect and secure the liberty of its citizenry against violation. For instance, in one of the seminal works of liberal political theory, *Democracy in America*, Alexis de Tocqueville states that:

There is in fact a manly and legitimate passion for equality that incites men to all want to be strong and esteemed. This passion tends to elevate the small to the rank of the great; but one also encounters a depraved taste for equality in the human heart, that brings the weak to want to draw the strong to their level and that reduces men to preferring equality in servitude to inequality in freedom (De Tocqueville 2000, 52).

As a result, de Tocqueville contends that "In the United States..." and, indeed, within any democratic state, "[The people] associate for the goals of public security..." (De Tocqueville 2000, 181), due to the fact that

When citizens are all nearly equal, it becomes difficult for them to defend their independence against the aggressions of power. Since none of them is strong enough then to struggle alone to advantage, it is only the combination of the forces of all that can guarantee freedom (De Tocqueville 2000, 52).

Evidently therefore, via the aforementioned quotations from *Democracy in America*, it is clear that Alexis de Tocqueville, one of liberalism's most ardent exponents, considers security to be the fundamental function of every state, as well as the harbinger of liberty.

Moreover, in addition to Alexis de Tocqueville, one of liberalism's pre-eminent protagonists, Charles-Louis de Secondat, Baron de La Brède et de Montesquieu, the man hailed by John Maynard Keynes as the "the real French equivalent of Adam Smith" (Keynes 1936), contends that the ultimate purpose of every state is security and that, unequivocally, the liberty of man is predicated upon his security. In one of the elemental elucidations of liberalism and political theory, *The Spirit of the Laws*, the Baron de Montesquieu states that "the laws [of a political state] must provide as much as possible for the security of individuals" (Montesquieu 2001, 95) and that, "while it is true that in democracies the people seem to act as they please...political liberty does not consist in an

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<sup>1</sup> In the state of nature "...it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war, and such a war is of every man against every man...Whatsoever therefore is consequent to a time of war, where every man is enemy to every man, the same is consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such a condition there is...no society, and which is worst of all, continual fear and danger of violent death, and the life of man, solitary, poor, nasty, brutish, and short. In this state every person has a natural right or liberty to do anything one thinks necessary for preserving one's own life; and life is solitary, poor, nasty, brutish, and short." Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis: Hackett Publishing Company, 1994), 76.

unlimited freedom” (Montesquieu 2001, 172); instead, according to the Baron de Montesquieu, “political liberty consists in security...” (Montesquieu 2001, 206). Furthermore, in *The Spirit of the Laws*, the Baron de Montesquieu states that

It is not sufficient to have treated of political liberty in relation to the constitution; we must examine it likewise in the relation it bears to the subject. We have observed that in the former case it arises from a certain distribution of the three powers; but in the latter, we must consider it in another light. It consists in security... (Montesquieu 2001, 206).

Consequently, via the aforementioned quotations from *The Spirit of the Laws*, it is readily apparent that the Baron de Montesquieu, one of liberalism’s most stalwart exponents, considers security to be the essential purpose of every state.

Finally, John Locke, the “father of liberalism” (Bailey et al. 2008, 495), emphatically states that people elect to leave the state of nature, sacrifice their liberty, and shackle themselves with the bonds of civil society, the state, specifically in order to protect and secure their lives, their natural rights, and their property from any violation. In one of the obligatory works of liberal political theory, *Two Treatises of Government*, Locke states

But, whatever flatterers may talk to amuse people’s understandings, it hinders not men from feeling; and when they perceive, that any man, in what station soever, is out of the bounds of the civil society which they are of, and that they have no appeal on earth against any harm, they may receive from him, they are apt to think themselves in the state of nature, in respect of him whom they find to be so; and to take care, as soon as they can, to have that *safety and security in civil society*, for which it was first instituted, and for which only they entered into it (Locke 1980, 50-51).

Moreover, Locke explicitly states that

MEN being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent. The only way whereby any one divests himself of his natural liberty, and puts on the *bonds of civil society*, is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties, and a greater security against any, that are not of it (Locke 1980, 50-52).

Therefore, via the aforementioned quotations from *Two Treatises of Government*, it is readily apparent that John Locke, the primogenitor and paterfamilias of liberalism, unequivocally confirms that security is the quintessential function of every state.

Subsequently, it is indisputable that Alexis de Tocqueville, the Baron de Montesquieu, and John Locke, three of liberalism’s most revered apostles, all unequivocally confirm that the fundamental function of every state is security. Moreover, as a result, it is readily apparent that, since its earliest articulation, liberal political ideology has embraced the paramount importance of national security.

## THE DEGENERATIVE DEMOCRATIC CYCLE

The essential documents of realism, in addition to the canons of liberalism, comprehensively confirm that liberty and security fluctuate according to a predictable and inevitable cycle within every democratic state, and that, due to this fluctuation, democratic states consistently reject national security in favor of liberality, which results in their ineludible collapse and implosion, if they are not summarily reoriented towards security.

When people initially unite into a community and create a state, they undertake this endeavor specifically in order to extricate and protect themselves from the anarchic, volatile, and insecure ‘state of nature’. In the state of nature:

... it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war, and such a war is of every man against every man...Whatsoever therefore is consequent to a time of war, where every man is enemy to every man, the same is consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such a condition there is...no society, and which is worst of all, continual fear and danger of violent death, and the life of man, solitary, poor, nasty, brutish, and short. In this state every person has a natural right or liberty to do anything one thinks necessary for preserving one's own life; and life is solitary, poor, nasty, brutish, and short (Hobbes 1994, 76).

Therefore, due to the fact that every state is created specifically in order to extricate and protect its citizenry from the violent, volatile, anarchic, and profoundly insecure ‘state of nature’, every state begins its existence oriented predominantly towards national security, and, as a result, initially fosters a meager amount of liberality within its society.

However, despite the fact that every state is oriented primarily and fundamentally towards security throughout its formative years, once national security is achieved and has been maintained within a democratic state, the state incontrovertibly begins to undergo a fundamental transformation.<sup>2</sup> Due to the fact that the state insulates and safeguards its citizenry against the anarchy that is inherent within the state of nature, the state's citizenry becomes undaunted by the state of nature and its latent insecurity. As a result, a tyranny of the majority manifests within the body politic and forces the state to orient itself towards an increasingly liberal ideology, norms, values, and policies, in spite of any proximate insecurity.

Eventually, the tyranny of the majority causes the state to become overwhelmingly liberal and to accept a liberal political ideology that grievously contradicts its foundational, security-oriented, political ideology, norms, and values. Consequently, security within the state begins to collapse, and, subsequently, in an attempt to preserve its nation, the state's regime adopts extreme policies that abruptly separate the state's citizens from their personal liberty, in order to immediately re-establish national security and reorient the state towards its original, security-based, norms, values, and political ideology. If, at this vital juncture, the state is successfully reoriented towards its foundational, security-oriented, political

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<sup>2</sup> This fundamental transformation occurs within democratic states, specifically, due to the vulnerability that democratic political states possess vis-à-vis tyranny of the majority.



ideology, values, and norms, and the primacy of national security is appropriately re-established within the state, then the state will be saved and continue the afore stated political cycle. However, if the state's regime fails to reorient the state towards its foundational, security-based, political ideology and to re-establish the primacy of national security within the state, then the state will inevitably collapse under the bloated, dead, weight of its hyper - liberal citizenry.

Numerous revered political theorists emphatically confirm that liberty and security oscillate according to a predictable and inevitable cycle within every democratic state, and that, due to this oscillation, democratic states consistently reject national security in favour of liberality, which results in their ineluctable implosion and collapse, if they are not summarily reoriented towards security.

Firstly, the primogenitor of realism, Niccolò Machiavelli, argues, in one of the seminal works of realist political theory, *Discourses on Livy*, that:

It is a very true thing that all worldly things have a limit to their life; but generally those got the whole course that is ordered for them by heaven that do not disorder their body but keep it ordered so that it does not alter or, if it alters, it is for safety and not to its harm. Because I am speaking of mixed bodies, such as republics and sects, I say that those alterations are for safety that lead them back towards their beginnings. So these are better ordered and have longer life that by means of their orders can often be renewed or indeed that through some accident outside the said order came to the said renewal. And it is a thing clearer than light that these bodies do not last if they do not renew themselves (Machiavelli 1996, 209).

Moreover, Machiavelli states that:

The mode of renewing them is, as was said, to lead them back towards their beginnings. For all the beginning of sects, republics, and kingdoms must have some goodness in them, by means of which they may regain their first reputation and their first increase. Because in the process of time that goodness is corrupted, unless something intervenes to lead it back to the mark, it of necessity kills that body (Machiavelli 1996, 209).

Furthermore, in *Discourses on Livy*, Machiavelli also explains that, once a state stabilizes itself and secures its citizenry against the rigors of the state of nature, within ten years, the state will begin to liberalize and to degenerate, due to the fact that:

When [ten years] is past, men begin to vary in their customs and to transgress the laws...Soon so many delinquents join together that they can no longer be punished without danger...Men began to dare to try new things and to say evil; and so it is necessary to provide for it, drawing [the state] back toward its beginnings (Machiavelli 1996, 210-211).

Via the aforementioned quotations from *Discourses on Livy*, Niccolò Machiavelli clearly explains that every democratic<sup>3</sup> state is subject to an inevitable cycle, whereby the state absorbs and manifests foreign political ideologies and values that inherently contradict

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<sup>3</sup> Machiavelli extends his assertions to every type of state

the state's foundational, security-oriented<sup>4</sup>, political ideology and values. Moreover, via the aforementioned quotations, Machiavelli clearly states that, once a democratic state has been penetrated by foreign, inherently contradictory, values and ideologies, the state must undergo a political renewal or regeneration process, whereby the state divests itself of the foreign, inherently contradictory, ideologies and values that have come to rest within its borders and reorients itself according to its original, security-based, national ideology, values, and norms. According to Machiavelli, if a democratic state fails to successfully undergo this political renewal or regeneration, divest itself of the contradictory ideologies and values that have penetrated into its society, and reorient itself according to the security-based ideology and values that constitute the rudiments of its political structures and society, then the state will inevitably implode, since the ever-increasing influence of the myriad, inherently contradictory, foreign ideologies and values that have penetrated within the state will inevitably subvert and destabilize the state by causing it to abandon its security-oriented foundational ideology, and, thereby, the primacy of security, within its borders.

Moreover, in addition to the supreme realist, Niccolò Machiavelli, one of the seminal architects of liberal political thought, Charles-Louis de Secondat, Baron de La Brède et de Montesquieu, states, in one of the quintessential works of liberal political theory, *Considerations on the Causes of the Greatness of the Romans and Their Decline*, that:

The strength of the [Roman] republic consisted in discipline, austerity of morals, and the constant observance of certain customs, they corrected the abuses that the law had not foreseen, or that the ordinary magistrate could not punish...In Rome, everything that could introduce dangerous novelties, change the heart or mind of the citizen, and deprive the state — if I dare use the term — of perpetuity, all disorders, domestic or public, were reformed by the censors (Montesquieu 1999, 86).

Additionally, the Baron de Montesquieu explains that, when the Roman citizenry began to eschew their foundational, security-oriented, ideology, “The distracted city no longer formed a complete whole.” (Montesquieu 1999, 92-93).

Furthermore, in *Considerations on the Causes of the Greatness of the Romans and Their Decline*, the Baron de Montesquieu explicitly states that

Contrary maxims employed by the new government made [Rome's] greatness collapse. Thus, they established practices wholly contrary to those that had made them universal masters. And, as formerly their constant policy was to keep the military art for themselves and deprive all their neighbors of it, they were now destroying it among themselves and establishing it among others...Here, in a word, is the history of the Romans. By means of their maxims they conquered all peoples, but when they had succeeded in doing so, their republic could not endure... (Montesquieu 1999, 168-169).

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<sup>4</sup> Machiavelli explains that the fundamental ideology of every state is fundamentally and unequivocally security-oriented in: Niccolò Machiavelli, *The Prince*, trans. Harvey C. Mansfield (Chicago: University of Chicago Press, 1998), 98- 101.

Via the aforementioned quotations from *Considerations on the Causes of the Greatness of the Romans and Their Decline*, it is clear that the Baron de Montesquieu, one of liberalism's most illustrious and antecedent champions, emphatically confirms that liberty and security vacillate according to a predictable and inevitable cycle within every state, and that, due to this vacillation, certain<sup>5</sup> states consistently reject national security in favour of liberality. In addition, via the aforementioned quotations, the Baron de Montesquieu confirms that, if a state deviates from its foundational, security-based, ideology, then security within the nation will rapidly degenerate and the state will incontrovertibly implode, if the state is not summarily reoriented towards security and its foundational political ideology.

Therefore, via the aforementioned quotations from *Discourses on Livy* and *Considerations on the Causes of the Greatness of the Romans and Their Decline*, two essential, constituent, works of realism and liberalism, respectively, it is evident that revered political theorists, august realists such as Niccolò Machiavelli and ardent liberals such as the Baron de Montesquieu, comprehensively confirm that liberty and security oscillate according to a predictable and inevitable cycle within every democratic state, and that, due to this oscillation, democratic states consistently reject national security in favour of liberality, which results in their ineludible implosion and collapse, if they are not summarily reoriented towards security.

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<sup>5</sup> Predominantly democratic.

## **LIBERALITY AND THE MODERN DEMOCRATIC COLLAPSE**

If modern states are analyzed, it becomes readily apparent that liberty and security vacillate according to the afore stated cycle within modern democratic states, and that, consequently, modern democratic states consistently reject national security in order to obsessively pursue liberality, which results in their inevitable decline and collapse, if they are not hastily reoriented towards security. For example, if the political trajectory of the USA is analyzed, then it becomes clear that the ‘progress’ of the United States of America reflects an ineluctable, repetitive, and degenerative political cycle, whereby, once national security is established and maintained within the American state, liberality subsequently flourishes, and, as a result, security deteriorates dramatically, which causes a precipitous national decline to consume the American nation, and prompts the American state, in order to save its citizens from their own tyranny, to reorient itself towards security, and initiate the aforementioned cycle anew.

Initially, the USA was founded explicitly in order to protect the American people and their natural rights from being violated and suppressed by the British Empire (Woodburn 2008). Therefore, when the USA was founded, the personal liberty of the American citizenry was unequivocally considered to be secondary to the security of the American nation. The primacy of national security in the USA during the American state’s formative years is reflected via many of the USA’s early national political policies. For instance, in 1861 the United States of America began to utilize conscription in order to bolster its national security, despite the fact that the conscription process forced American men, regardless of their personal autonomy and irrespective of their personal liberty, to fight and, if need be, die, for the national interests and security of the American state (Flynn 1998). However, despite the fact that national security was clearly the ultimate concern of the USA during its seminal years, the primacy of security did not remain entrenched within USA society.

After the USA was founded, and the turmoil that surrounded its early, tectonic, years was overcome, the security of the American citizenry was established, re-entrenched, and consistently maintained. Consequently, as a result of the persistent presence of security within USA society, the American people became ignorant of their volatile and violent origins within the anarchic ‘state of nature’, and, due to their ignorance, the American citizenry began to demand that the liberality within the USA be increased, despite the fact that this increase in liberality would unequivocally necessitate the sacrifice of the USA’s national security. Subsequently, in response to the demands of the American citizenry, the United States of America rejected its security-based foundational ideology and, instead, reoriented itself towards a fundamentally liberal political ideology, as well as the abject freedom of the American people, rather than their security.

For example, throughout the 1920’s, the United States of America experienced the “progressive era” (Sklar 1992), an era of dynamic socio-political activism and reform, wherein the USA rejected many of its original, security-based, foundational traditions, values, norms, and policies, specifically in order to manifest an increased liberality within its society, and, as a result, the American citizenry became hesitant to go to war and to protect the integrity of the American nation against violation from within, as well as without (Sklar 1992). Moreover, during the late 1960’s and the early 1970’s, the USA’s national political ideology, values, norms, and policies endured a further, profound

liberalization, due to the fact that the USA citizenry poignantly rejected America's security-based political ideology and its conservative norms, as well as, specifically, the USA military intervention in Vietnam (Berry et al. 1998, 327-348). In fact, during the late 1960's and the early 1970's, innumerable American citizens illegally evaded the national draft for Vietnam and, thereby, emphatically proclaimed the American citizenry's explicit rejection of the USA's foundational, security-oriented, ideology, as well as one of the USA's earliest security-based political policies in particular: conscription (Erikson and Stoker 2011, 221-237).

As the United States of America deviated from its original, security-based, ideology and embraced an overwhelming liberality within its social fabric, the American state experienced a violent and virulent national decline. For example, during the 1960's, as a result of the American citizenry's obsession with liberality, the USA's national security collapsed and crime within the USA increased dramatically (Berry et al. 1998, 327-348). Consequently, the natural rights of the American citizenry were often and easily violated, which caused the American populace to abruptly recall their origins in the state of nature. Ominously, on 22 November 1963, the President of the United States of America, John F. Kennedy, was assassinated, which unambiguously underscored the high-anarchic conditions and the insecurity that now terrorized USA society. Furthermore, in spite of the fact that the United States of America had boasted the strongest economy within the international political system throughout the early 1960's, by the 1970's, as a result of America's incessant liberalization, the USA economy had deteriorated dramatically and was wracked by a murderous recession, unbridled energy shortage, vast inflation, and extensive unemployment (Free 2010, 350). Yet, although, by the end of the 1970's, the USA citizenry had nearly doomed the American nation via its insatiable appetite for liberality, security was eventually and arduously restored within America, and, as a result, the USA was saved before it could completely implode.

During the early 1980's, in response to America's impending collapse, the USA's national political ideology was fundamentally transformed and the American state was abruptly re-oriented towards safeguarding the security and the natural rights of the American nation, rather than the pursuit of abject liberality. Readily, the American citizenry accepted this dramatic reorientation towards security, as well as the consequent reduction in liberality that it entailed within the American state, due to the fact that, over the two previous decades, the American citizenry and their natural rights had become endangered, insecure, and, as a result, inconsistent, within a volatile American society, which forced the American citizenry to recall their origins within the anarchic state of nature, as well as the American state's original, vital, function: security. For example, during the 1980's, the Reagan administration abruptly curtailed the liberality of the American citizenry and reoriented the American state towards national security via the enforcement of novel, stringent, laws and penalties. As a result, national security was re-established within America, which allowed USA citizens to once again experience their natural rights and, moreover, caused the American nation to become virtuous, healthy, and prosperous anew.<sup>6</sup> During the decades that followed the resurrection of the American state and America's national re-orientation towards security, the USA and its citizenry adhered obediently to a security-based political ideology and policies, since the American nation

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<sup>6</sup> "Inflation fell from 10.3% in 1981 to 3.2% in 1983." Rhona C. Free, ed., *21st Century Economics: A Reference Handbook* (SAGE Publications, 2010), 352.

had been forced to recall its origins within the anarchic state of nature, as well as the American state's original, vital, function: security. However, by 2008, the USA citizenry had been sufficiently insulated against insecurity and rendered ignorant of its origins within the anarchic, volatile, state of nature. Summarily, the USA citizenry began to lust after liberality once more, and, consequently, during the presidency of Barack Obama, the USA profoundly re-liberalized its fundamental political structures, despite the fact that this endeavor required the concurrent sacrifice of American national security. As a result, during the modern era,<sup>7</sup> the USA has experienced a distinct national degradation and decline. For example, since the most recent re-liberalization of the American state, recession has become an essential aspect of the USA economy, insecurity and nigh-anarchic conditions have begun to manifest within the USA, and the USA's dominance of the international political system has deteriorated dramatically (Schweller and Pu 2011, 41-72).

Subsequently, it is evident that the political trajectory of the United States of America unequivocally reflects an ineluctable, repetitive, and degenerative political cycle, whereby, once national security is established and maintained within the American state, liberality subsequently flourishes, and, as a result, security deteriorates dramatically, which causes a precipitous national decline to consume the American nation, and prompts the American state, in order to save its citizens from their own tyranny, to reorient itself towards security, and initiate the aforementioned cycle anew. Moreover, due to the fact that the USA and other modern democratic states manifest the aforementioned cycle so readily, it is therefore clear that liberty and security inevitably vacillate according to the aforementioned cycle within every modern democratic state, and that, consequently, modern democratic states consistently reject national security in order to obsessively pursue liberality, which results in their inevitable decline and collapse, if they are not hastily reoriented towards security.

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<sup>7</sup> From 2008 onwards.

## CONCLUSION

It is unquestionable that, since the end of the Cold War, liberal political ideology has become synonymous with the international political system and permeated throughout innumerable international political structures and actors. Unfortunately, despite the fact that the international community has so readily embraced liberalism, modern liberals have profoundly misunderstood the foundational principles of liberal political theory and, consequently, liberalism's contemporary adherents are woefully ignorant of liberalism's rudimentary tenets and principles.

The overwhelming majority of modern liberals argue that the fundamental function of every democratic state is the preservation of its citizens' freedoms and liberty, whereas, prior to the conclusion of the Cold War, national security was consistently considered to be the foremost concern of every state (Jervis 2001, 36-60). Furthermore, contemporary liberals categorically contend that, since the fundamental function of every democratic state is the preservation of its citizens' liberty, if a democratic state sacrifices the liberty of its citizenry in order to preserve national security, then the state violates its citizenry abhorrently, as well as fundamentally destabilizes the rudiments of its own society (Dunne 2008, 116).

However, despite the fact that modern liberals so vehemently assert the paramount importance of liberality within democratic states, their assertions are strikingly incorrect. When the hallowed texts that constitute the foundation of liberal political theory are consulted, such as Alexis de Tocqueville's *Democracy in America*, the Baron de Montesquieu's *The Spirit of the Laws*, and John Locke's *Two Treatises on Government*, these quintessential liberal documents resoundingly confirm that security, not liberty, is the fundamental concern of every state.

Moreover, the essential, constituent, works of realism, in addition to the foundational works of liberalism, comprehensively confirm that liberty and security oscillate according to a predictable and inevitable cycle within every democratic state, and that, due to this oscillation, democratic states consistently reject national security in favour of liberality, which results in their collapse and ineludible implosion, if they are not summarily reoriented towards security. For example, via *Discourses on Livy* and *Considerations on the Causes of the Greatness of the Romans and Their Decline*, two ineffable, obligatory, works of realism and liberalism, respectively, it is evident that revered political theorists, such as realism's pre-eminent protagonist, Niccolò Machiavelli, and liberalism's vital architect, the Baron de Montesquieu, comprehensively confirm that liberty and security fluctuate according to a predictable and inevitable cycle within every democratic state, and that, due to this fluctuation, democratic states consistently reject national security in favor of liberality, which results in their inexorable implosion, if they are not summarily reoriented towards security.

Furthermore, if modern states are analyzed, it becomes readily apparent that liberty and security inevitably vacillate according to the aforementioned cycle within modern democratic states, and that, consequently, modern democratic states unflinchingly reject their own national security in order to obsessively pursue liberality, which results in their inevitable decline and collapse, if they are not hastily reoriented towards security. For example, it is evident that the political trajectory of the United States of America unequivocally reflects an ineluctable, repetitive, and degenerative political cycle, whereby,

once national security is established and maintained within the American state, liberality subsequently flourishes, and, as a result, security deteriorates dramatically, which causes a precipitous national decline to consume the American nation, and prompts the American state, in order to save its citizens from their own tyranny, to reorient itself towards security, and initiate the aforementioned cycle anew.

Therefore, it is readily apparent that, if a democratic state sacrifices the liberty of its citizenry in order to maintain or improve its own national security, then the state's actions are not merely just and ethical vis-à-vis its citizenry, but, rather, the state's actions fulfill the state's fundamental, protective, function and are, in fact, an inevitable aspect of the state's existence. More importantly, it is clear that, although liberalism and its foundational principles have been stubbornly misrepresented and misused by modern liberals, in order to viciously attack all states and leaders that do not consider personal liberty to be sacrosanct, modern liberals are foolish and emphatically incorrect to argue that the fundamental function of every democratic state is the preservation of its citizens' liberty, as well as to criticize states and leaders that sacrifice the liberty of their citizenry in order to preserve national security.

As a result, the criticisms that are meted out by modern liberals are entirely remiss and nigh laughable. However, it is necessary to avoid dismissing modern liberals as harmless fools, because, if their perverse interpretation of liberalism's foundational principles continues to be embraced by modern democratic states and to permeate throughout the international political system, then their corrupted liberal ideology will inevitably cause innumerable nations to implode. Therefore, it is evident that the ignorance of modern liberals endangers the lives of countless people, and, consequently, it is imperative that modern liberalism be emphatically and categorically rejected from the international political system.



## REFERENCES

1. Baron de Montesquieu, Charles de Secondat. *Considerations on the Causes of The Greatness of the Romans and Their Decline*. trans. David Lowenthal. Indianapolis: Hackett Publishing Company, 1999.
2. Baron de La Brède et de Montesquieu, Charles-Louis de Secondat, *The Spirit of the Laws*. trans. Thomas Nugent. Kitchener: Batoche Books, 2001.
3. Bailey, Andrew et al., ed. "John Locke." in *The Broadview Anthology of Social and Political Thought: From Plato to Nietzsche*. Broadview Press, 2008.
4. Berry, William D. et al. "Measuring Citizen and Government Ideology in the American States, 1960-93." in *American Journal of Political Science*. Midwest Political Science Association, 1998.
5. Brown, Archie. "Reform, Coup and Collapse: The End of the Soviet State." BBC History. 17 February 2011.  
<[http://www.bbc.co.uk/history/worldwars/coldwar/soviet\\_end\\_01.shtml](http://www.bbc.co.uk/history/worldwars/coldwar/soviet_end_01.shtml)> [13 March 2016].
6. De Tocqueville, Alexis. *Democracy in America*. trans. and ed. Harvey Mansfield and Delba Winthrop. Chicago: University of Chicago Press, 2000.
7. Dunne, Tim. "Liberalism." in *The Globalization of World Politics: An Introduction to International Relations. Fourth Edition*. ed. John Baylis et al. Oxford: Oxford University Press, 2008.
8. Erikson, Robert S. and Laura Stoker. "Caught in the Draft: The Effects of Vietnam Draft Lottery Status on Political Attitudes." in *The American Political Science Review*. American Political Science Association, 2011.
9. Flynn, George Q. "Conscription and Equity in Western Democracies." in *Journal of Contemporary History*. 1998.
10. Free, Rhona C. ed. *21st Century Economics: A Reference Handbook*. SAGE Publications, 2010.
11. Hobbes, Thomas. *Leviathan*. ed. Edwin Curley. Indianapolis: Hackett Publishing Company, 1994.
12. Jervis, Robert "Was the Cold War a Security Dilemma?" *Journal of Cold War Studies*. 2001.<<http://www.ou.edu/uschina/SASD/SASD2006/Jervis2001CWSecDil.pdf>> [13 March 2016].
13. Locke, John. *Second Treatise of Government*. ed. C.B. Macpherson. Indianapolis: Hackett Publishing Company, 1980.
14. Maynard Keynes, John. *The General Theory of Employment, Interest, and Money*. Palgrave Macmillan: 1936.
15. Machiavelli, Niccolò. *Discourses on Livy*. trans. Harvey C. Mansfield and Nathan Tarcov. Chicago: University of Chicago Press, 1996.
16. Machiavelli, Niccolò. *The Prince*. trans. Harvey C. Mansfield. Chicago: University of Chicago Press, 1998.

17. Schweller, Randall L. and Xiaoyu Pu. “After Unipolarity: China's Visions of International Order in an Era of USA Decline.” in *International Security*. 2011.
18. Sklar, Martin J. “Political Development in the Progressive Era.” in *The United States as a Developing Country: Studies in USA History in the Progressive Era and the 1920s*. Cambridge: Cambridge University Press, 1992.
19. Woodburn, James Albert. *Causes of the American Revolution*. Read Books, 2008.



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Date of acceptance: March 18, 2016

Date of publication: June 15, 2016

Review article

UDC 329.11-029.3

## THE IDEOLOGICAL SPECIFICS OF THE VARIANTS OF CONTEMPORARY CONSERVATISM

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### Abstract

*In the imminent paper the author elaborates the primary theoretical modalities of conservative ideology. Such variants arises from the conservative ideology where diversity, specificities and needs are treated as a fundamental principle of their activity. The necessity to present the basic modalities of conservative philosophy lie in the fact that modern right-centrist parties are faced with the dilemma of ideological repositioning and expedient concretization of the priorities in their own political action. In this respect the author concentrates on four essential concepts that shape the conservative action in modern discourse. Paternalistic Conservatism, Neoliberal Conservatism, Neoconservatism and Christian Democracy create a framework of conservative worldview through the theoretical prism and also withdraw substantial axiological and praxeological differentiations on relevant issues such as freedom of the market, media, agriculture, financial sector, solidarity, religion, penal policy, taxes etc.*

*Key words: Conservatism; Paternalistic conservatism; Neoliberal conservatism; Neo conservatism; Christian Democracy*

### INTRODUCTION

Conservatism as a political ideology does not appear in any uniform or clean form. Just as in other ideologies and political theories, also within conservatism there are different factions, variants or convictions on different aspects and issues of social life depending on the specifics of a certain region. In this regard notes the slogan: *socialism and liberalism are international as well as conservatism is national*. Consequently the primary opus of this paper expresses theoretical explanation of the following questions: what are the basic elements of each of the respective conservative variants, how are they recognized by, which key segments of social and political life they manifest and finally which of the character elements are symbiotic and related by nature and what is distinctively different in their scope? Hence the purpose of the upcoming paper will show exactly those varieties, stating that it is impossible to stress a strict limit where one begins and other ends. However, despite such positions we will perform four basic differentiations of conservative ideology, based on substantial differences within the priorities of the action of political parties belonging to the provenance.

## PATERNALISTIC CONSERVATISM

The term paternalism means consistent activity on fatherly way. As a political principle, it applies power or authority which is conducted over others in order to protect or to reduce the damage. The concept of social protection e.g. mandatory rules traffic such as compulsory wearing seat belts is a classic examples of paternalist philosophy. The basis of paternalism is that the wisdom and experience are not equally distributed in society hence those who have authority take the moral responsibility to protect those who are worse off. Paternalistic conservatism as an option or an alternative of conservative provenance appeared as early as in the writing of Edmund Burke, but it received its purest form during the Tory Prime Minister Benjamin Disraeli. Protecting the weaker and poorer, conservative parties primarily originating from the Anglo-Saxon world believed they would maintain order, state security, existing institutions and social cohesion. This trend continues today in many conservative parties where the social component is emphasized within their action. Especially in such situations are obvious changes and the ability to act in order to protect certain categories of marginalized citizens. This approach does not certainly means helping only the employees, but the companies themselves as well. In addition we will notice the main characteristics of the paternalistic conservatism, where we must stress that the underlying motive for such action is more pragmatic than idealistic. But pragmatism in political action is one of the primary determinants of activities of the conservative parties.

### *Social protection mechanisms for workers*

Social protection mechanisms that applied to the recently appeared working class became the primary interest of conservative governments in Europe to prevent the influence of Marxist socialism. This ideology called upon the working population to commit violent revolution in order to assume power in their hands: the ultimate goal to repeal of the state and the existing order and to establish classless and stateless community of abundance in the future. However appropriate response came from the conservative side not through violent methods, but through affirmative actions to improve the position of workers. For example, the time of Bismarck adopted a series of laws that improved their social status, among which the most important are the following: 1) The law on mandatory health insurance from 1883; 2) The insurance law on accidents at work, fell borne by the employer in 1884; 3) Law on Pension and Disability Insurance. Later conservative governments in Germany introduced the Law on Insurance in case of death of 1911 and the Law on insurance against unemployment in 1929 (Ruzin 2006, 40).

The main feature of this model is that it introduces compulsory insurance approach, instead of the previous founded on a voluntary basis. Later this approach became the basis for modern social insurance. Social security legislation in all countries includes the principle that it is mandatory for all registered employees. This concept protects workers in order to ensure a broad-affordable integration into society of all persons of all categories. Actually this represents the incorporation of part of the opposition ideologies in his political practice with the objective to create a widely-acceptable consensus of solidarity and commitment to the poor and vulnerable social categories. Also this model offers a division of responsibility between the state on the one hand and enterprises on the other. The opportunity to experience the cooperation and collaboration rather than antagonism and division between different groups, creates a practice that has become characteristic of

all periods of paternalistic rule. As much the conservative parties' paternalistic orientation tried to protect the interests of the wealthier sections of society - among which newly bourgeoisie - the interests of the lower strata of the population were entirely left out. Such facts show that the conservative ideology could not entirely be treated as an umbrella to protect the rich because what conservative governments do know is that a comprehensive policy approach to all social groups, carry such political gains and social stability.

### *The concept of unified nation*

Previously exhibited social protection mechanisms go towards bolstering what Disraeli and later other conservatives accept - the unified nation. It really is an expression of concern about the ruling elites of discord in society. If conservatism is initially an expression of uncompromising rejection of changes paternalistic conservatism characteristic for the next stages of its development and today is expressed by the slogan: "change to preserve existing." So Edmund Burke draws a lesson from the French Revolution, claiming that "the state without the means of some change is without the means for such a hearing." It occupies a similar position and Ian Gilmour when he says: "wise conservative travelling with little baggage." According to him the most respected values of conservatism - the tradition, authority, order, property and family will be provided only if certain policies are developed in light of the practical circumstances and experiences. It is important to be reported and his suggestions regarding the wealth and privileges. According to him, they bear responsibility and obligations to poorer and less powerful (Parry, 2000, 79). In support of this assertion it could be mentioned that since the early 20th century onwards, the Conservative Party began to gather more audiences among the working class and the poorer layers of society. According to the claims of Rudolf Churchill established institutions like the monarch, parliament and the Anglican Church can be obtained and preserved only if the working class voted for the Conservative Party (Hejvud 2005, 90).

All of this aspects contributes to creating what Disraeli in his novels called single nation, which in history is known as Tory democracy. He tried to draw the attention of the political public to the danger of division of the UK into two nations - rich and poor. So, on the one hand the growing social inequality created revolutionary drive, and on the other hand Disraeli referred to the moral values like humanity and compassion. What is dominant during and after Disraeli's era is that the conservatives in a manner of promoting the concept of unified nation began to foster feelings of loyalty and patriotism and of thus way amortising socialist ideas that the workers did not have their own state. What is particularly emphasized in conservative points of view is that the state is present in all categories, the nation is strong and united and all are part of the nation that has the right to live in welfare. A nation conceived primarily as an organic entity that holds the associated ethnic and cultural identity and shared history, where the complex of socio-economic assistance to the weaker reinforces its physiognomy. People feel more loyalty and a sense of belonging to the nation-state when they possess material welfare when they could economically provide or have guaranteed jobs, good wages, high-quality education and healthcare services, etc. National identity and patriotism towards their country and nation, harden these possibilities of the social dimension.

### ***Loyalty, partnership and corporatism***

Unlike neoliberal tendencies, which will exhibit below, and which have become particularly apparent in contemporary theoretical debates, paternalistic conservatism imposes an entirely new conception of modern society. In fact there is an intention to create a balanced approach between individualism and collectivism as philosophical preoccupations of today. Hence the emphasis on the meaning of the policy of innovation and entrepreneurship on the one hand and loyalty to the company, the partnership between social groups and the corporative way of decision-making and ownership relations in enterprises on the other side.

Top of the conservative tradition is evident especially in the period after World War II, when conservative governments in the UK and other Western European countries are began practicing a kind of Keynesian economy. The main objective is the attainment of full employment and supporting social protection mechanisms in the country. The new theory which imposed the politicians of that period to which they refer and many modern paternalists consists of several things. First, workers have to worry about the success of their company, e.a. to be loyal to it in order to advance the growth which would allow for higher salaries and benefits. Second, all participants in the production process must build relationships of trust and partnership on all issues relevant to them. Third, shareholder foundations of companies as an opportunity for greater democratization in the same while providing exposure to different requirements and designs for company policy. This approach is not based on populism, but an expression of attention paternalistic conservatism as against the management team and owners and to employees. The economic logic of the conservative philosophy includes corporatism in a system that emphasizes the welfare state, proclamation (but not to the extreme) reduction of income disparities between citizens, moderate hierarchy, social rights including marginalized groups (Maguire M. and Morgan R. 2007, 364). The establishment of such program determinations by their parties became the main pillar of which rely on conservative ideology in the decades after World War II.

### ***Special care to agriculture***

Agriculture as a sector in the economic system of a country showed particular setback and marginalization in the policies of any government, especially those after the industrial revolution and mass urbanization making its by-product. Conservative parties saw here an opportunity for self-promotion by placing emphasis on their protection and assistance. But we will not deal with the historical genesis of conservative bias towards agriculture. What is here concerned is the question about the needs for providing the agriculture. Commitment to agriculture and agrarian policy encircles complex features of the paternalistic conservatism. It can be concluded that the agricultural policy numerous countries differ in their nature and in their economic potentials least normatively establish identical goals. These objectives were contained especially in the Maastricht Treaty of the European Union which was adopted on the initiative of Germany and Italy, where the government parties were of conservative provenance. What will exhibit here are general principles and objectives that underpin the conservative attitude towards agriculture, on which is founded the entire agricultural policy of the Union.

The purposes and principles of agricultural policy which are proclaimed and implemented by conservative governments in paternalistic orientation are: 1) Increasing agricultural productivity and improved technical development; 2) Production subsidies - fixed aid paid per unit; 3) Help in the supply of raw materials; 4) Production quotas or quota per unit area; 5) Intervention purchases – non state organizations may be authorized to purchase in the event of market disruptions; 6) Reduction of excise taxes - taxes that burden the goods produced; 7) Import quotas; 8) Export subsidy (Tripunoski 2009, 98).

The above principles became a dominant landmark in almost every conservative party in the EU, but also in Anglo-Saxon countries. Paternalism today is perhaps most evident right through the agrarian policy that cherish. For example, the Conservative Party of Great Britain has developed a special platform called: “A new era of agriculture, our agenda for British agriculture” which is based on several principles such as fair competition, reduction of freight adjustments, effective action against animal diseases, increased production and environmental protection (Conservative party agenda, 2011).

### **NEOLIBERAL CONSERVATISM**

The ideas of classical liberalism in political and economic terms became an integral component of the specifics of modern conservatism in the early 20th century. A variant that we preview now sublimates such conditions, with a particular emphasis on the economic sphere. In politicology circulation despite the term neoliberal conservatism - also exist references such as conservative liberalism, libertarian conservatism and liberal new right. But liberal ideology over the past two centuries of existing suffered crucial metamorphoses by moving the political space from center to left or right. Right-wing liberals called for more classical liberalism as that of Locke and Smith and left the classical texts are increasingly adored aspects of social protection through the state intervention. On the other hand the term libertarian is used only in the US and the term liberal may refer the out economic views such as LGBT rights, the right to the enjoyment of light drugs and alcohol which can't be identify with conservatism. Therefore we will operate with the term Neoliberal conservatism due strictly economic preferences.

If freedom of the market, entrepreneurship, protection of private property are the dominant features of classical liberalism, the social liberalism of interest became more and more the values of empowerment, fairness and justice, fair treatment, etc. Such valuable principles were part of the welfare state which was already discussed in the previous section. Neoliberalism actually attached to the values of classical conservatism proclaims itself as a critique of this conception of the welfare state. Considering that it is to be blamed for the high rate of inflation, a declining trend in economic growth, and increased lethargy citizens became oriented new right back to classical liberal values in economic policy thinking that they will improve this situation. Now let's see the main features of neoliberal conservatism.

#### ***Fully free market and foreign trade liberalization***

We concluded that neoliberal ideas of conservatism especially prevail in the economic outlook. The laissez-faire concept of markets is certainly the dominant feature of this conceptual criterion. Neoliberal conservatives believe that classical liberal school of

economics is compatible with their philosophical and political opinions based on values such as authority and order. Thus, according to Burke, the free market is efficient and fair, but also natural and necessary. Natural because it is an expression of the desire for wealth and orientation to profits and, as Burke claims it is an integral part of the human nature. Neoliberal conservatism is also maintained in the new rightist - conservative parties that come primarily from countries in Central and Eastern Europe and emerged after the fall of communism. Keeping alive the ideas of classical liberalism to fully free market and with foreign trade liberalization, neoliberalism has become the biggest enemy of communism and modern social democrats and liberals (Carey, 1998, 16).

Conservatives from the Scandinavian countries are perhaps a classical example of fostering neoliberal values. Completely free market and foreign trade liberalization has become *differentia specifica* of the Scandinavian model of economy during the rule conservative governments. For example, Andrus Fogh Rasmussen former Danish Prime Minister and leader of the party Venstre several times clearly stated that he and his party are pushing for a full liberalization of the market and minimizing the impact of the government in a so conceived free market. In Sweden, Carl Bildt again and his Moderate Party introduced liberalization of the energy sector, in telecommunications, privatization of healthcare services and their competition (Harvey 2005, 55). All these were the sectors not only in Sweden but also in other countries had a monopoly in your positions in the market. Their deregulation and transfer to private ownership was expected to increase the quality level of the services, which in fact was proven to be quite successful. The accession of these countries to the EU paved the road to full trade liberalization with the Member States, joining to WTO and increasing the level of trade exchange with the countries of Central and Eastern Europe. On the other hand, the fall of communist regimes led to signing several agreements between the former countries of the so called "People's Democracy", with a special highlight CEFTA and the processes for cooperation in Southeast Europe. In all these agreements contained a provision for trade liberalization between them, and reduce quotas and customs duties between them.

### ***Reduction of public spending***

If, during the state of being influenced by Keynesian economy school state had an obligation through rising public spending that stimulates economic growth and to achieve full employment, here it is not the case. Neo-liberals like Hayek criticized just such a situation. They are committed to fiscal discipline, planned budget deficit and limited borrowing in relation to the GDP. Such political and economic procedures are introduced as membership criteria in the European Monetary Union. For example, neoliberal conservatives whose influence was pervasive during the creation of the rules of the economic and monetary union in Europe have created a series of rules in this area. For example, the budget deficit should not exceed 3% of GDP, the total public debt may not exceed 60% of the yearly GDP, insistence of price stability, which is expressed by the rate of inflation which must not be higher than 1.5 percentage point of non ponding average of countries with the lowest inflation rate in the Euro-zone so. All this is achieved by cutting public spending, which produces and reduces credit indebtedness. The reduction of the public spending is expressed in the most significant areas of the pension system, healthcare, education, defence etc. (Ibid). This leads to a reduction of the social assistance measures for vulnerable groups, raising the age limit for retirement, increase in participation of health



services, etc. The argument that the amount neoliberal conservatives was that it was the high level of spending is causing expansion left tax and increase the tax burden. It is almost impossible to ensure long-term financial stability without such measures. The best proof of this is the crisis in Greece.

### ***Tax cuts***

If previous trends reflect directly upon the “luxury” of the citizens and the system of populist governments, the following feature is an extremely positive impact on investors. A by-product of the state of welfare and its progressive taxation was the reduced rate of investment growth. The investors worldwide followed the economic logic of faster capital fertilization, so they avoided countries with higher taxes. It again returned to the game neoliberal trends for tax cuts. This was a trend that has become characteristic for both the countries in the western hemisphere and for the developing countries. Such taxes in the United States during the Reagan were drastically reduced by a full 40% over a period of seven years, which contributed to the significant growth of GDP. In the UK however, under the rule of Margaret Thatcher tax burdens also reduced by intensive which finished the complete elimination of the structural deficit and reduction of public debt to 20%. All this increased the credit rating of the states and the unemployment rate decreased by a certain degree. The tax credits it to life not only the real sector, but also move forward the capital market and the level of trade of the countries in Europe and America. Also the percentage of budget realization increased significantly as a result of such policies. Value added tax (VAT) declined in various sectors, therefore causing a rapid development of branches that were neglected. All this contributed to the sharp rise of the economies of Western Europe at the beginning of 90’s and out of the crisis which had occurred earlier. Neoliberal tendencies of low taxes are supported by the so-called “doctrine of trickle-down.” If they are in favor of the more powerful, it is believed that it will cause growth in poorer, and the growth of an industry will lead to an increases of other industries because of the chain of activities which is dependent on an economic system.

### ***Deregulation of the financial sector***

The financial sector primarily in the United States was quite fraught with procedural rules regarding its operation and strict control of the stock market. If the positive effect of this situation was reduction of the possibility of fraud and abuse, what were missing were increased turnover and transactions, as well as fresh money into the system. The deregulation of the financial sector actually means simplifying the rules for financial operations. This is closely related to although not identical with the substance liberalization. Neoliberal conservatives in the United States brought a series of legal changes in the area of banking, making the commercial banks enabled an entry to financial capital markets, brokerage activities etc. The law and deregulation of financial control that was passed in the US in 1980, and later in the rest of Western Europe, allowed a wide scope of action. This injects fresh money into the system, favorable commercial and investment loans which affected the overall improvement of the macroeconomic situation in these countries. But what was imposed on banks is the certain degree of control and supervision by the central banks because of the increased likelihood of potential risks.

The deregulation of the financial sector with numerous advantages, referring to countries prepared to participate in the global financial system. So on one side of businesses and citizens in the domestic and international system allowing a wider choice of savings institutions increased number of credit options and benefit from the conclusion of the same, with an increased assurance of financial transactions with various derivative instruments (Čaušević 2004, 73). On the other hand, the deregulation of the financial sector provides benefits for the financial institutions themselves such as increased competition that lead to higher levels of knowledge and experience, serious increase of financial investment, reduce costs and enhance technology. Such attitudes reflect modern neoliberal conservatives, who managed to incorporate these principles as the foundation of the financial sector in their countries

## NEOCONSERVATISM

The term Neoconservatism is proclaimed by US theorists to indicate a specific condition in the American society from the second half of the last century. It is a period in which the scene again the liberal spirit in the economy, extensive deregulation and market liberalization. Namely, it comes to learning which consists of a combination of pragmatic style of economic policy and the traditional approach to culture and social issues. In the economic sphere mainly neoconservatives agree with the state intervention and advocate mainly a mixture of the welfare state and *lassiez-faire*, often invoking the Reagan era when this practice was most visible. But neoconservatives concerns about liberal values in the social and cultural sphere are the certain ideological characteristics typical of foreign policy. As Irving Kristol points out, neoconservatism it gives the traditional conservatism intellectual extra dimension beyond the economic sphere, above all in terms of social and cultural stability (Kristol 2004, 50).

Neoconservatism today is typical for Western European countries primarily in response to the fear of social fragmentation that is seen as a byproduct of the traditional liberal society (Vaise 2010, 7). Such instability of the liberal society strengthened the massive influx of immigrants, the mass social protests, and acceptance of the "rights" of special categories of citizens (such as LGBT population) which does not coincide with traditional social views and values. On top of all, the concept of multi-ethnic and multi-religious society in no way can be taken as a benefit for neoconservatism. Therefore neoconservatism, state authority and coherently society puts in the first place. According to them society could achieve a desired level of stability and development only if efficiency in three areas, namely: 1. Law and order - inherent moral contortions is a reality and can be overcome only through fear of punishment, and they would be effective if strict; 2. Public morality - often shaped by the educational process and the media because freedom within the choice of behavior can lead to the choice of evil and immoral views; 3. National identity - the value of the nation (in a civil and ethnic sense) consists of connecting the society and the groups within, thus giving them a common cultural and civic identity that would be as strong as it would be grounded in history and tradition. In addition, we will briefly present the essential characteristics of neoconservatism although some of them have already broached, but bearing in mind that the above principles are an essential feature of the whole conservative ideology here will be on some of the most important specifics that differ from other prototypes.

### ***Religion as a promoter of morality***

According to the theoretical discourse, religion is an implicit valuable category for the entire conservative philosophy. However, that does not mean that all conservative politicians are religious themselves. It is perceived in terms of morality and stability of the system. In this concept neoconservatives treat religion as more important among the society and the citizens. According to them the large liberalization of the society and some antisocial phenomena are the result of the abandonment of religious values and religious feelings of the citizens. Many neoconservative parties and governments are publicly calling for enhanced role of the church in society. Besides, religious feelings can return by introducing religious education in schools and religious officials' compulsory participation in the institutions. All this because religion is the only true and promoter of morality. The moral qualities of life are increasingly abandoned primarily by liberal proclamations, especially evident among young people and business elites that impose race for profit and wealth for the primary purpose of life. Religion according to the neoconservatives is the sole promoter of morality for two reasons: First, because the liberal tendencies to choose freedom morale can lead to a focus on the bad or evil views (abortion, homosexuality, pornography, and so on.) Second, as occurred liberal views towards morality can lead to moral pluralism which the neoconservatives harmful. Namely, the debate around these issues is harmful because it undermines social stability and cohesion. Permissive society is what lacks ethical standards and moral unifying factors. Therefore the presence of religion as promoter and guardian of the same (Malinov 1999, 128).

### ***Rigid penal policy***

Accepting the ideas inherent moral contortions, neoconservatives believe that the roots of the disorder rather than social injustice penetrate the human soul. This increased momentum gives liberalist behaviour by which wealth and profits are most important to man. As witnesses of numerous manipulations, fraud and perversion entire framework of social values is disturbed. Fragmentation of the social good becomes even more visible because of this turn of events. Neoconservative argument on this matter is perhaps the strongest in the direction of bringing them to the point of intransigence towards certain criminal and economic offenses. Rape, murder, prostitution, financial mismanagement became daily practice within the Western societies where a rigid penal policy is required. The spokesmen of these ideas rightly recognized that effective sanctions will return to its original position in some spheres of social life. Crime and delinquency can stand in the way solely through fear of harsh sanctions or fines, and punishment can be effective only if strict. This in the US, especially in the UK has led to an emphasis on prison sentences and longer sentences for minor crimes. The incorporation of criminal responsibility for economic abuses in companies, and criminal liability of legal persons was also a tendency proclaimed by neoconservative thinkers and agitators. It is especially emphasizing and vigorous fight against organized crime, as well as its definition and appropriate measures to be applied in all countries. This led to the signing of the Palermo Convention on transnational organized crime. Ratification in national parliaments on the same gladly greeted by MPs of the conservative parties, noting that such an approach will enable highly efficient response to this phenomenon united across in most countries.

Also the establishment of the Permanent International Criminal Court in The Hague in 2004 was met with positive reviews among neoconservative camps. US neoconservatives still fight for restoring the death penalty. The perpetrators of certain offenses as a juvenile rape, brutal murders of women and children, infanticide, etc., do not deserve to live. Thus, by the end of the eighties and the early nineties of the last century, the death penalty was restored in most of the states. In the UK again introduced a detention center for youth mode so called short “sharp shock”. In the 90’s during Prime Minister John Major has given support minimum sentences for juvenile offenders and specialized educational - detention centers for such persons in the style of the American “Spanish boot camps”.

### ***Censorship of certain content in the mass media***

Neoconservatives tend to pay more attention to the cultural and moral aspect of life than economic matters. In that manner attention is directed toward the culture, art, music, literature, and more recently, television and the internet, believing that society defines and express itself and maintain its values by these means as well . Unfortunately, they said, these resources are increasingly becoming morally polluted. An example of such conclusion could be violent and sexually explicit movies, television programs and video games, and music filled with profanity, hate speech and intolerance. These circumstances have led mass media to lose credibility among the citizens and had cause shock, disgust and nausea (Encyclopaedia Britannica). Neoconservative philosophy puts extremely dominant emphasis on certain content published in the media or in the mass media. The growing number of content that shows violence, a crime, murder, pornography, promotion of the LGBT community, divorce, etc., has forced many conservatives to open the issue of censorship of certain content. Censorship consist of limiting the time duration of such content or setting new broadcasting time wich is usually late at night. The aim of this approach is to prevent the negative impact on the young population. This type of censorship has become a practice in almost all Western countries. The criteria were tightened in the choice of program content and broadcast adequately appropriate term intervals. Censorship in this sense does not intend to impede freedom of expression and thought, but is extremely protective profile contributions in terms of strengthening the social acceptable behavior.

### ***Support the political-military interventionism in foreign policy***

Military - political interventions became practice for the US foreign policy over the past half century, and especially after the attacks of September 11, 2001 they highly become a credo of neoconservative tendencies. Taking into account the situation of readiness to launch missions in the Middle East and Southeast Asia, ever the modern perception of conservatism accepts it not only as harmless, but also useful (Vaise 2010, 79). This is a feature that is characteristic not only for the American type of neoconservatism but it is quite common for many European countries, especially the Scandinavian section. Promoting human rights and democratic values should be one of the priorities of the foreign policy of Western countries as foundations of modern international community. There are several justifications for political-military interventions of the United States and their allies that are preferred by neoconservatives. First, human rights and freedoms fundamental concept in the post-war international community must be respected everywhere.

The authoritarian regimes are obviously not adhere to such standards. Second, the legitimacy of such actions, and their legality and always provided through UN resolutions no. Third, the interventions in Iraq and Afghanistan, and now in Libya and Syria serve the Western interests in terms of force governments to conclude agreements of strategic importance for the West, such as the sale of oil, weapons, gas, etc. It is known that the neoconservatives' national interest is in the foreground, and such conditions confirmed exactly that. Fourth, the ability to recruit unemployed youth for the purpose of the missions and ensure their further engagement in post-war areas expresses the social dimension of American interests. And finally, these views assume significance through the struggle against global terrorism as a threat to all humanity.

### CHRISTIAN DEMOCRACY

On the map of the ideological discourse, Christian democracy many distinguished as a separate kind of ideological orientation. But it should be noted that such supplies come primarily from the Anglo-Saxon circles. In real politics conservatism and Christian democracy often intertwine (for example, there are parties who identify themselves as conservative and Christian Democrat simultaneously), but they indicate major differences that go so far as conservatives refuse to be classified as Christian democrats (considering that this term is "clerical"), while the Christian democratic parties, particularly the trade unionists in their ranks, refuse to be defined as conservatives noting that trade unionists can be Christian democrats, but not conservative. Unlike them continental parties often declare themselves as conservatives and Christian democrats at the same time. The Christian democracy appeared in mainland Europe (primarily Western Europe) where modernization was late, and the Catholic Church still has had a significant number of believers (as in Germany and the Netherlands Catholics were no less than 30% of the population) and protecting the interests of minority Catholic communities. Christian democrats not only protect the interests of the higher social strata, but those of the entire Catholic (minority) community, in the name of unity of Catholicism unite the interests of all social segments. Therefore the Christian democratic parties received support from associations of Catholic employers, trade unions, associations of farmers, etc. (Kalyvas 1996, 18). In this light we would mention that the Christian tradition struggled for a long time in order to accept the democratic political principles. Perhaps the key turning point is the publication of *Rerum Novarum*, when Pope Leo XIII called the Christians to embrace the values of the democratic political systems, proclaimed by the French Revolution. This flow of things marked the path of the modern nomenclature of this persuasion as democratic. Even the status of secularism was established as an incentive to further fight with the ideologies of the left and center-left (Djurkovic 2010, 50). The Christian democracy promote a democratic stand, as well as an ideas for ensuring public order, rights and freedoms and responsibilities of the individual and public morality are especially its fundamental principles. Considering the fact that the Christian values, especially in the European round of parties, are essential for many of them, the Christian democracy could rightly be placed in the credo of varieties of conservatism. As an additional argument regarding this assessment it may be noted that the Christian democratic ideology was one of the winners in the fight against totalitarian communist system in Eastern Europe.

### ***Christian teachings as a guiding principle in political practice***

A key aspect in the Christian democracy valuation of politics is the combination of the elements of the Christian tradition with other elements of morality, patriarchy, devotion to the family, the local community, workplace and church on one side and the elements of the welfare state and solidarity on the other. This constellation of formulating political action which stems from the Christian religion becomes a dominant feature of the political practice of the Christian democrats. Charity, family, moral aspects of managing the common good, solidarity, prosperity became a constituent element in the political rhetoric of conservative parties the Christian democratic option. This world view developed for all walks of ethics for management structures, women's rights and the responsibility of politicians for the welfare of the population. The essential feature Christian democracy learning still an emphasis on economic social and free market. For that assumption testify the historical facts putting them receive state intervention and assistance to vulnerable entities in the market. This does not necessarily mean nationalization or intervention by any means, but some kind of help that comes as a results of the Christian conception of society. Christian democrats never saw the economy as a distinct category, at least the statutory level, from politics. Following the Thomas Aquinas's tradition they believe the economy is part of the overall social life that must remain in service for value-moral aims of an order. Another distinguishing feature of the Christian doctrine as a guiding principle of the political action is tolerance and cooperation with other members of religious groups and ethnic communities. The International Union of Christian Democrats emphasize the primacy of dialogue and tolerance as basic principles in political practice. So in the section on Interreligious Dialogue they note:

To those who believe that violence and terrorism are the only way believers respond - rid of obsessive pessimism that leads to a world of walls and hostility, living in security and peace. Peaceful coexistence must be encouraged. Religious representatives strongly reaffirmed that tolerance and respect are strictly grounded in their religious tradition. As a result of this they decided to distance themselves from hatred and conflict (Christian Democracy International 2008).

Christian doctrine as a guiding principle of political action also emphasizes asocial phenomena in society, and as a solution to overcome them can be found to strengthen the church by youngsters. Christian youth movements in Europe and the world believe that moral delinquency, drug addiction, alcoholism, prostitution, etc. They can be partly prevented by emphasizing Christian values in everyday life and their promotion through the mass media.

### ***The principle of subsidiarity***

The idea of subsidiarity is now known in the theory and practice of the EU and derived from Catholic social teaching and was first proclaimed in the encyclical *Rerum Novarum*. Generally, this argues that any public work should be conducted on a possible lower than the ground level of competitiveness. So most of the things need to be addressed in the family, the local religious community, the local political community such as the municipality, the region, and if it is impossible even on a central government level.

This principle is recognized by the 10th Amendment of the US Constitution, and is integrated as a basis of the European Charter of Local Self-Government. Also this principle finds its place in the EU Treaty of Maastricht in 1992. The principle of subsidiarity is proclaimed as an option for a possible greater participation of the citizens in political decision-making the regards matters of local importance. For example, the Christian Democratic logic of affirmation of this principle finds it necessary to emphasize that local institutions much better acquainted with the problems of the citizens, much more competent to assess their options, and finally draw up a list of priorities for action.

Social institutions such as family, church, volunteer associations, sports clubs, Christian unions, etc. represent the foundation of every well-governed and prosperous community. Investing in their further development and intensifying their powers and competencies comprise a significant part in the program priorities of all Christian democrat parties. Christian democrats believe that the primary interest of the citizens can be achieved by strengthening the capacity of these institutions. This concept is confirmed by the Christian Democratic Union of Germany (CDU) in the section on local politics which occupies an important place in their program- ideological features. So in an excerpt on the occasion of these issues entitled as “Germany needs the strong communities”, it is noticed: “The federal government needs to listen to the requirements of local authorities and the association of cities as a true representative of citizens' interests. Our principle of subsidiarity, which tend to be applied in other EU countries on a very solid foundation is laid in our fundamental priorities. We have a particularly keen understanding of the needs of local government and intermediary institutions, these issues tend to rise and higher European level of discussion and priority” (Deutscher Städtetag 2009).

### *Special emphasis on solidarity*

The institutions that were stated in the previous stakes are important to the citizens not only on the basis of identity placement, but also as another important level - solidarity. As part of the everyday life of the citizens they offer them a good foundation in terms of security and solidarity in varying degrees all expect. Christian democrats believe that the assistance that is necessary for people who faced ordeals they can provide these institutions. For example consolation for different contingencies can give the church, material assistance they can provide urban and local authorities as well as various voluntary associations. There are different companies that help individuals and families can rely anytime. The initiators of the charity also become part of the Christian democratic tradition. If the state is sometimes deaf to the problems of the citizens or disabled to meet their demands, here are certainly numerous intermediary institutions that would express their humanity and solidarity. For a society, such institutions are more than needed. That is their stimulation is one of the dominant efforts of Christian democratic parties. Many of them organized numerous programs to assist and support the socially vulnerable cases, the unemployed, young people, orphans etc.

The Christian democrats are bitter opponents of the atomization of people because they regard it as a violation of the fundamental principles of the Christian doctrine and so human can be left to totalitarian impulses and gesticulations. Neither he should be left alone, nor should people be taught to be self-sufficient. The perception of social solidarity as a cornerstone of the community comes from Aristotle and Thomas Aquinas.

According to Maritain, in today's complex communities a rather dull individualism can develop an integral humanism that man can give foundation, framework, pole-plate, and aims to develop their individual talents and abilities (Djurkovic 2010, 60). But not only the intermediary institutions have an obligation toward those goals. There certainly must be included and the state as a promoter and generator of social stability and solidarity as its fundamental principle. Christian democratic parties especially emphasize the importance of ensuring social welfare for the citizens through state institutions. For example in the program for 2011-2015 of the Croatian Democratic Unity (HDZ) a whole chapter is devoted to social protection entitled "State of Social Justice and Christian values." This chapter says:

Proceeding from the principle of solidarity, the composition of social protection must provide security to citizens, to stimulate the fight against poverty and social exclusion. Our goal is to improve the social protection system which effectively would provide assistance to the socially disadvantaged. Promoting the system of equal opportunities and boosting sensible and vulnerable social groups of great will contribute to their active and productive activities in society (Program HDZ).

## CONCLUSION

Conservatism does not definitely represent a uniform and static fixed ideology. In its theoretical parameter owns four basic varieties whose epistemological features recognize in this paper. Based on the above-mentioned reasoning we may perform several basic conclusions, thereby returning to the primary questions that have specified above.

First, paternalistic conservatism, neoliberal conservatism, neoconservatism, and christian democracy contain various valuable elements by nature and terms of perception through the prism of priority. Such value determinants that cover issues such as social safeguards for employees, emphasis on agriculture, loyalty and corporatism inherent paternalistic discourse, freedom of the market, foreign trade liberalization, tax cuts, analogous neoliberal conservative discourse, censorship of certain content in the mass media, supporting military and political interventionism in foreign policy, and rigid penal policy, are characteristic of neoconservatism, as well as of the Christian philosophy as the primary guide, the emphasis on solidarity and the principle of subsidiarity as value orientations of Christian democracy.

Second, the value frame of each model finds its root through philosophical and theoretical discourse of the epochal works of conservative ideology on the one hand, and its own articulation and manifestation through programs and platforms for political actions of the parties of the right-centrist worldview.

Third, part of the ideological elements are symbiotic and relative by nature, such as the safeguards for the employees, and the solidarity and the Christian doctrine, and contained in various varieties of upcoming models. However, some of these are essential and philosophically different such as the free market and corporatism, the rigid penal policy and solidarity, the military and political intervention and the principle of subsidiarity, hence expressed considerable political differentiation and discrepancies in its own mold and philosophy of action.



## REFERENCES

1. *A New Age of Agriculture - Our Agenda for British Farming* 2011 Conservative party, London  
[http://www.conservatives.com/News/News\\_stories/2010/02/A\\_New\\_Age\\_of\\_Agriculture.aspx](http://www.conservatives.com/News/News_stories/2010/02/A_New_Age_of_Agriculture.aspx)
2. Carey, George W. 1998. *Freedom & Virtue: The Conservative Libertarian Debate*. Washington: Intercollegiate Studies Institute
3. Christian Democracy International: *Interfaith dialogue* 2008. <http://www.idc-cdi.com/>
4. Čaušević, Filip. 2004. *Finansiska globalizacija i ekonomski suverenitet*. Sarajevo: Fakultet Ekonomskih Nauka
5. Deutscher Städtetag: *Deutschland braucht starke Kommunen* 2009 Berlin  
<http://www.cdu.de/doc/pdfc/090513-rede-merkel-staedtetag.pdf>
6. Encyclopaedia Britannica: *Neoconservatism*  
<http://www.britannica.com/EBchecked/topic/1075556/neoconservatism>
7. Djurkovic, Misa. 2010. "Hriscanska demokratija – ideja, razvoj do 1950 i osnovne principe". *Hriscanstvo i demokratija izmedju antagonizma i mogucnosti*. Beograd: Fondacija Konrad Adenauer
8. Harvey, David. 2005. *A Brief History of Neoliberalism*. Oxford: Oxford University Press
9. Hejvud, Endru. 2005. *Političke ideologije*. Translated by Anka Jakšić. Beograd: Zavod za udžbenike i nastavna sredstva
10. Kalyvas, Stathis. 1996. *The Rise of Christian Democracy in Europe* New York: Cornell University Press
11. Kristol, Irvin. 2004. *Neokonzervativizam: autobiografija jedne ideje*. Translated by Božica Jakovlev. Zagreb: Algoritam
12. Maguire Mike, Morgan Rod. 2007. *The Oxford handbook of criminology*. Oxford: Oxford University Press
13. Malinov, Svetoslav. 1999. *Konzervativizmot*. Sofia: Centar za socialni praktiki
14. Parry, Jon.P. 2000. *Disraeli and England*. London: The Historical Journal
15. Program HDZ: *Za Hrvatsku do 2015*. Zagreb str. 38  
[http://www.hdz.hr/static/media/attached\\_files/attachedfileitem/Program/program\\_HDZ\\_1.pdf](http://www.hdz.hr/static/media/attached_files/attachedfileitem/Program/program_HDZ_1.pdf)
16. Ruzin, Nano. 2006. *Sovremeni sistemi na socijalna zastita*. Skopje: Filozofski fakultet
17. Tripunoski, Mirko. 2009. *Ekonomija na Evropskata Unija*. Skopje: FON Univerzitet
18. Vaise, James. 2010. *Neoconsetvatism: The biography of a movement*. Harvard: Harvard University Press



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Date of acceptance: April 20, 2016

Date of publication: June 15, 2016

Essay (Non Peer-Reviewed)

UDC 341.171(4-672EY)

## THEORIES FOR THE FUTURE OF THE EUROPEAN UNION

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Due to the crisis in Europe, there is no doubt that it is necessary to consider the future of the Union. Throughout the EU, national leaders, heads of institutions and even the citizens are accounting the possible future plans, the consequences and the steps forward to it. Some think that the EU has too much power, and sovereignty should return to the individual Member States, because the EU goes too far in formulating a common policy. Some others think that there should be a larger integration between the members, they urge the 'political union' and think about the EU as a future federal state. And there are of course the radical parties, who think that leaving the EU is the best solution to create a world where their country can maintain their independency, sovereignty and where they are able to develop.

One of the first calls for the more integrated Europe was a former British Prime Minister's opinion. Following the Second World War, Winston Churchill was convinced that only a united Europe could guarantee peace. He formulated his conclusions drawn from the lessons of history in his famous 'speech to the academic youth' held at the University of Zurich in 1946: "There is a remedy which would in a few years make all Europe free and happy. It is to re-create the European family, or as much of it as we can, and to provide it with a structure under which it can dwell in peace, in safety and in freedom. We must build a kind of United States of Europe."

In some particular point of views, formulating a closer EU common policy is a field of development of the individual countries. According to the last year's speech of the British prime minister, David Cameron about the EU membership, being a part of the Union is a great opportunity to decrease the gap between Member States, to stand up against the terrorism, the organized crime and is the way to assure the prosperity and welfare of the citizens. He believes that together the EU can have more power and influence to fight against these issues. Also a very current matter is the oil supply from Russia on which a great amount of EU countries depend. Against this dependence, the only solution is to guarantee the security and diversity of the energy supplies within the EU, he said.

Viviane Reding, the former European Commissioner for Justice, Fundamental Rights and Citizenship – in unity with David Cameron – stated that if the UK would leave the EU, EU is still going to be its main market, but they could not influence the EU regulation anymore about the single market. This statement could be applicable to the most of the Member States. She believes in a 'United States of Europe' in accordance with Churchill; José Manuel Barroso, the former President of the European Commission; Angela Merkel, Chancellor of Germany; Francois Hollande, the President of France and the European

Federalist Party, which is a new pan-European and federalist political party which advocates further integration of the European Union through the establishment of a democratic and federal Europe.

On the other hand, however there also exists an opponent group of people who does not agree with the deep integration within the EU. They are not urging the formulation of more common policies; they believe that a 'political union' or even the 'United States of Europe' is a step too far.

These people - usually referred as "euroscepticists" - are convinced that deepening the integration results a weaker Member State with less sovereignty and less independence. They also criticize the bureaucratic system of the EU, the absence of democratic legitimation and the unaccountable officials of it. They also miss the renewed referendum about staying in the Union or not, because anyone under the age of 55 has never had a say on anything related to Britain's relationship with the EU, according to them, it is not democratic.

There are two types of these people. Hard euroscepticists are in the opposition to membership or even the existence of the European Union as a matter of principle. The Europe of Freedom and Democracy group and the United Kingdom Independence Party in the European Parliament are typified by such parties.

Soft euroscepticists support the existence and membership of the European Union, but with opposition to specific EU policies, and opposition to a federal Europe. The European Conservatives and Reformists group, typified by centre-right parties, such as the British Conservative Party (with the leadership of David Cameron) are soft eurosceptic parties.

If we take a closer look on the recently accepted acts of the EU, we can easily say they only care about light-minded, airy issues, such as the notorious, informally called 'bendy banana law' from 1994 laying down quality standards for bananas (amended in 2006).

Nevertheless the EU formulated thousands of acts which made all our lives easier and our countries better, for instance the "roaming directive", which contains the insurance that the difference between roaming and national telephone prices should approach zero by 2015. Or for another example, the 2005/36 EC directive, which lays down the free movement of professionals, meaning that a person having professional qualifications has to have access to the same profession with the same rights as citizens.

As a conclusion, I can declare that there are more stronger and persuasive arguments on the deeper integration side, than on the eurosceptic side. Although in my home country, in Hungary only one third of the population supports the membership of the EU, I deeply believe that Hungary's national interest is best served in a well-functioning, open, flexible and adaptable European Union.

## REFERENCES

1. BBC. 'Angela Merkel: EU reform not pieec of cake'. Last modified 27 February 2014, <http://www.bbc.com/news/uk-politics-26362034>
2. BBC. 'Cameron and Hollande differ over reforms to EU'. Last modified 31 January 2014, <http://www.bbc.com/news/uk-politics-25972302>
3. Leave EU now website. Last modified 12 March 2016, <http://leaveeunow.co.uk/>
4. The Telegraph. 'David Cameron's EU speech in full.' Last modified 23 January 2013, <http://www.telegraph.co.uk/news/worldnews/europe/eu/9820230/David-Camerons-EU-speech-in-full.html>
5. The Telegraph. 'Federal Europe will be a reality in a few years, says Jose Manuel Barroso'. Last modified 7 May 2013, <http://www.telegraph.co.uk/news/worldnews/europe/eu/10041817/Federal-Europe-will-be-a-reality-in-a-few-years-says-Jose-Manuel-Barroso.html>
6. The Telegraph. 'Bent banana and curved cucumber rules dropped'. Last modified 28 July 2008, <http://www.telegraph.co.uk/news/worldnews/europe/2453204/Bent-banana-and-curved-cucumber-rules-dropped-by-EU.html>
7. Viviane Reding. 'The United Kingdom and the EU – inevitably drifting apart?' Last modified 17 February 2014, [http://europa.eu/rapid/press-release\\_SPEECH-14-137\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-14-137_en.htm)



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Date of acceptance: June 10, 2016

Date of publication: June 15, 2016

Photographic essay

Photo courtesy of Simona Kalica

# A LIFE CALLED JOURNEY

*Refugee Transit Center “Vinojug”- Gevgelija, Republic of Macedonia*

07.06.2016













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*Simona Kalica is 19 year old girl from Bitola (Republic of Macedonia). Future lawyer although forever an artist in her soul. In her free time she draws, although she is into amateur photography for the last 4 years. Simona is a big fan of art and all things hidden, unusual and unique. As a young photographer she has shown her talent in many group exhibitions according with “Instagramers” with “Photo of the week” in according with the mobile operator “One” along with other fellow passionate Instagram artists which lasted for 52 weeks. “To be creative you need bravery” is her life motto and she believes one day she will conquer the world with her photos.*

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